

1-1 By: Guillen (Senate Sponsor - Hughes) H.B. No. 1622  
1-2 (In the Senate - Received from the House April 19, 2021;  
1-3 April 21, 2021, read first time and referred to Committee on State  
1-4 Affairs; May 4, 2021, reported favorably by the following vote:  
1-5 Yeas 9, Nays 0; May 4, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to reporting of early voting rosters.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 87.121, Election Code, as amended by  
1-22 Chapters 1083 (H.B. 1850) and 1215 (S.B. 902), Acts of the 86th  
1-23 Legislature, Regular Session, 2019, is reenacted and amended to  
1-24 read as follows:

1-25 Sec. 87.121. EARLY VOTING ROSTERS. (a) The early voting  
1-26 clerk shall maintain for each election a roster listing each person  
1-27 who votes an early voting ballot by personal appearance and a roster  
1-28 listing each person to whom an early voting ballot to be voted by  
1-29 mail is sent.

1-30 (b) For each person listed, the applicable roster must  
1-31 include:

1-32 (1) the person's name, address, and voter registration  
1-33 number;

1-34 (2) an identification of the person's county election  
1-35 precinct of registration; and

1-36 (3) the date of voting or the date the ballot was  
1-37 mailed to the person, as applicable.

1-38 (c) Each roster shall be updated daily.

1-39 (d) Each roster may be maintained in any form approved by  
1-40 the secretary of state.

1-41 (e) The clerk shall preserve each roster after the election  
1-42 for the period for preserving the precinct election records.

1-43 (f) Information on the roster for a person to whom an early  
1-44 voting mail ballot has been sent is not available for public  
1-45 inspection, except to the voter seeking to verify that the  
1-46 information pertaining to the voter is accurate, until the first  
1-47 business day after election day.

1-48 (g) Information on the roster for a person who votes an  
1-49 early voting ballot by personal appearance shall be made available  
1-50 for public inspection as provided by Subsection (i) not later than  
1-51 11 a.m. on the day after the date the information is entered on the  
1-52 roster under Subsection (c).

1-53 (h) Information on the roster for a person who votes an  
1-54 early voting ballot by mail shall be made available for public  
1-55 inspection as provided by Subsection (i) not later than 11 a.m. on  
1-56 the day following the day the early voting clerk receives a ballot  
1-57 voted by mail.

1-58 (i) The information under Subsections (g) and (h) must be  
1-59 made available:

1-60 (1) for an election in which the county clerk is the  
1-61 early voting clerk:

2-1 (A) on the publicly accessible Internet website  
2-2 of the county; or

2-3 (B) if the county does not maintain a website, on  
2-4 the bulletin board used for posting notice of meetings of the  
2-5 commissioners court; or

2-6 (2) for an election not described by Subdivision (1):  
2-7 (A) on the publicly accessible Internet website  
2-8 of the authority ordering the election; or

2-9 (B) if the authority ordering the election does  
2-10 not maintain a website, on the bulletin board used for posting  
2-11 notice of meetings of the governing body of the authority.

2-12 (j) ~~[(i)]~~ The early voting clerk for a primary election or  
2-13 the general election for state and county officers shall submit to  
2-14 the secretary of state for posting on the secretary of state's  
2-15 Internet website the information described by:

2-16 (1) Subsection (g) not later than 11 a.m. on the day  
2-17 after the date the information is entered on the roster under  
2-18 Subsection (c); and

2-19 (2) Subsection (h) not later than 11 a.m. on the day  
2-20 following the day the early voting clerk receives a ballot voted by  
2-21 mail.

2-22 (k) ~~[(j)]~~ The secretary of state shall ~~[make any early~~  
2-23 ~~voting roster created under this section available to the public on~~  
2-24 ~~the secretary's Internet website.~~

2-25 ~~[(j) The secretary of state shall]~~ post the information  
2-26 described by Subsection (j) ~~[(i)]~~ on the secretary of state's  
2-27 Internet website in a downloadable format.

2-28 (l) ~~[(k)]~~ The secretary of state shall create a system for  
2-29 an early voting clerk for a primary election or the general election  
2-30 for state and county officers to provide the information to the  
2-31 secretary of state for posting on the secretary of state's Internet  
2-32 website under Subsection (j) ~~[(i)]~~.

2-33 (m) A person registered to vote in the county where the  
2-34 early voting clerk is conducting early voting may submit a  
2-35 complaint to the secretary of state stating that an early voting  
2-36 clerk has not complied with this section.

2-37 (n) The secretary of state by rule shall create and maintain  
2-38 a system for receiving and recording complaints made under this  
2-39 section.

2-40 (o) The secretary of state shall maintain a record  
2-41 indicating early voting clerks who have failed to comply with the  
2-42 requirements of this section.

2-43 SECTION 2. To the extent of any conflict, this Act prevails  
2-44 over another Act of the 87th Legislature, Regular Session, 2021,  
2-45 relating to nonsubstantive additions to and corrections in enacted  
2-46 codes.

2-47 SECTION 3. This Act takes effect September 1, 2021.

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