

By: González of Dallas

H.B. No. 1806

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the composition and duties of early voting boards and  
3 signature verification committees.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 87.002, Election Code, is amended to  
6 read as follows:

7 Sec. 87.002. COMPOSITION OF BOARD. (a) The early voting  
8 ballot board consists of a presiding judge, an alternate presiding  
9 judge, and at least two other members.

10 (b) Except as provided by Subsection (d), the presiding  
11 judge and the alternate presiding judge are [~~is~~] appointed in the  
12 same manner as a presiding election judge. Except as provided by  
13 Subsection (c), the other members are appointed by the presiding  
14 judge in the same manner as the precinct election clerks.

15 (c) In the general election for state and county officers,  
16 each county chair of a political party with nominees on the general  
17 election ballot shall submit to the county election board a list of  
18 names of persons eligible to serve on the early voting ballot board.  
19 The county election board shall appoint at least one person from  
20 each list to serve as a member of the early voting ballot board. The  
21 same number of members must be appointed from each list. If a  
22 political party does not submit a list, the county election board  
23 may make appointments to the board as necessary from any political  
24 party.

1 (d) In addition to the members appointed under Subsection  
2 (c), the county election board shall appoint the presiding judge  
3 from the list provided under that subsection by the political party  
4 whose nominee for governor received the most votes in the county in  
5 the most recent gubernatorial general election and the alternate  
6 presiding judge from the list provided under that subsection by the  
7 political party whose nominee for governor received the second most  
8 votes in the county in the most recent gubernatorial general  
9 election.

10 (e) The alternate presiding judge shall serve as presiding  
11 judge for an election if the regularly appointed presiding judge  
12 cannot serve.

13 SECTION 2. Sections 87.027(d), (i), and (j), Election Code,  
14 are amended to read as follows:

15 (d) The early voting clerk shall determine the number of  
16 members who are to compose the signature verification committee and  
17 shall state that number in the order calling for the committee's  
18 appointment. A committee must consist of not fewer than five  
19 members. In an election in which party alignment is indicated on  
20 the ballot, each county chair of a political party with a nominee or  
21 aligned candidate on the ballot shall submit to the appointing  
22 authority a list of names of persons eligible to serve on the  
23 signature verification committee. The authority shall appoint at  
24 least two persons from each list to serve as members of the  
25 committee. The same number of members must be appointed from each  
26 list. The authority shall appoint the chair of the committee from  
27 the list provided by the political party whose nominee for governor

1 received the most votes in the county in the most recent  
2 gubernatorial general election. The authority shall appoint a vice  
3 chair of the committee from the list provided by a political party  
4 whose nominee for governor received the second most votes in the  
5 county in the most recent gubernatorial general election. The vice  
6 chair of the committee shall serve as the chair of the committee if  
7 the regularly appointed chair cannot serve. If a political party  
8 does not submit a list, the authority may make appointments as  
9 needed from any political party. A vacancy on the committee shall  
10 be filled by appointment from the original list or from a new list  
11 submitted by the appropriate county chair.

12 (i) The signature verification committee shall compare the  
13 signature on each carrier envelope certificate, except those signed  
14 for a voter by a witness, with the signature on the voter's ballot  
15 application to determine whether the signatures are those of the  
16 voter. While the committee is reviewing signatures, an equal  
17 number of committee members from each political party that  
18 submitted a list of names under Subsection (d) shall be present to  
19 the extent practicable. The committee may also compare the  
20 signatures with any two or more signatures of the voter made within  
21 the preceding six years and on file with the county clerk or voter  
22 registrar to determine whether the signatures are those of the  
23 voter. Except as provided by Subsection (l), a determination under  
24 this subsection that the signatures are not those of the voter must  
25 be made by a majority vote of the committee's membership. If a tie  
26 vote of the committee's membership occurs, the signatures are  
27 considered to be those of the voter. The committee shall place the

1 jacket envelopes, carrier envelopes, and applications of voters  
2 whose signatures are not those of the voter in separate containers  
3 from those of voters whose signatures are those of the voter. The  
4 committee chair shall deliver the sorted materials to the early  
5 voting ballot board at the time specified by the board's presiding  
6 judge.

7 (j) If a signature verification committee is appointed, the  
8 early voting ballot board shall follow the same procedure for  
9 accepting the early voting ballots voted by mail as in an election  
10 without a signature verification committee, except that the board  
11 may not determine whether a voter's signatures on the carrier  
12 envelope certificate and ballot application are those of the same  
13 person if the committee has determined that the signatures are  
14 those of the same person. If the committee has determined that the  
15 signatures are not those of the same person, the board may make a  
16 determination that the signatures are those of the same person by a  
17 ~~majority~~ vote of at least one-half of the board's membership. If  
18 a tie vote of the board's membership occurs, the signatures are  
19 considered to be those of the same person.

20 SECTION 3. This Act takes effect September 1, 2021.