

By: Clardy, Klick, Cain

H.B. No. 3107

Substitute the following for H.B. No. 3107:

By: Clardy

C.S.H.B. No. 3107

A BILL TO BE ENTITLED

1 AN ACT

2 relating to election practices and procedures.

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

4 SECTION 1. Section 1.007(c), Election Code, is amended to  
5 read as follows:

6 (c) A delivery, submission, or filing of a document or paper  
7 under this code may be made by personal delivery, mail, telephonic  
8 facsimile machine, e-mail, or any other method of transmission.

9 SECTION 2. Section 2.002, Election Code, is amended by  
10 amending Subsection (b) and adding Subsection (j) to read as  
11 follows:

12 (b) Not later than the fifth day after the date the  
13 automatic recount required by Subsection (i) is completed or the  
14 final canvass following the automatic recount is completed, if  
15 applicable, the authority responsible for ordering the first  
16 election shall order the second election. The second election  
17 shall be held not earlier than the 20th day or later than the 45th  
18 [~~30th~~] day after the date the automatic recount required by  
19 Subsection (i) is completed or the final canvass following the  
20 automatic recount is completed, if applicable.

21 (j) If the recount does not resolve the tie, the tied  
22 candidates may:

23 (1) cast lots not later than the day before the date  
24 the authority must order the second election under Subsection (b);

1 or

2 (2) withdraw from the election not later than 5 p.m. of  
3 the day after the date the automatic recount is held.

4 SECTION 3. Section 2.022(b), Election Code, is amended to  
5 read as follows:

6 (b) Sections 2.023, 2.025, and 2.028 supersede a law outside  
7 this subchapter to the extent of any conflict.

8 SECTION 4. Section 2.025(d), Election Code, is amended to  
9 read as follows:

10 (d) A runoff election for a special election to fill a  
11 vacancy in Congress or a special election to fill a vacancy in the  
12 legislature, except an election ordered as an emergency election  
13 under Section 41.0011 or an election held as an expedited election  
14 under Section 203.013, [to which Section 101.104 applies] shall be  
15 held not earlier than the 70th day or later than the 77th day after  
16 the date the final canvass of the main election is completed.

17 SECTION 5. Section 2.028(c), Election Code, is amended to  
18 read as follows:

19 (c) A tying candidate may resolve the tie by filing with the  
20 presiding officer of the final canvassing authority a written  
21 statement of withdrawal signed and sworn to [~~acknowledged~~] by the  
22 candidate. If the statement of withdrawal is received before the  
23 automatic recount is conducted, the remaining candidate is the  
24 winner, and the automatic recount is not conducted. If the  
25 statement of withdrawal is received not later than 5 p.m. the day  
26 after the date the automatic recount is conducted [~~On receipt of the~~  
27 ~~statement of withdrawal~~], the remaining candidate is the winner,

1 and a casting of lots is not held.

2 SECTION 6. Section 2.051(b), Election Code, is amended to  
3 read as follows:

4 (b) In the case of an election in which any members of the  
5 political subdivision's governing body are elected from  
6 territorial units such as single-member districts, this subchapter  
7 applies to the election in a particular territorial unit if each  
8 candidate for an office that is to appear on the ballot in that  
9 territorial unit is unopposed and no ~~[at-large proposition or]~~  
10 opposed at-large race is to appear on the ballot. This subchapter  
11 applies to an unopposed at-large race in such an election  
12 regardless of whether an opposed race is to appear on the ballot in  
13 a particular territorial unit.

14 SECTION 7. Section 3.005(d), Election Code, is amended to  
15 read as follows:

16 (d) Except as provided by Subsection (c), an ~~[An]~~ election  
17 under Section 26.08, Tax Code, to ratify a tax rate adopted by the  
18 governing body of a school district under Section 26.05(g) of that  
19 code shall be ordered not later than the 30th day before election  
20 day.

21 SECTION 8. Section 4.003(c), Election Code, is amended to  
22 read as follows:

23 (c) In addition to any other notice given, notice of an  
24 election ordered by the governor, by a county authority,  
25 ~~[commissioners court]~~ or by an authority of a city or school  
26 district must be given by the method prescribed by Subsection  
27 (a)(1).

1 SECTION 9. Section 4.004(a), Election Code, is amended to  
2 read as follows:

- 3 (a) The notice of a general or special election must state:
- 4 (1) the nature and date of the election;
  - 5 (2) except as provided by Subsection (c), the location  
6 of each polling place;
  - 7 (3) the hours that the polls will be open; ~~and~~
  - 8 (4) the Internet website of the authority conducting  
9 the election; and
  - 10 (5) any other information required by other law.

11 SECTION 10. Section 13.002(i), Election Code, is amended to  
12 read as follows:

13 (i) An applicant who wishes to receive an exemption from the  
14 requirements of Section 63.001(b) on the basis of disability must  
15 submit ~~[include with the person's application]~~:

- 16 (1) written documentation:
- 17 (A) from the United States Social Security  
18 Administration evidencing the applicant has been determined to have  
19 a disability; or
  - 20 (B) from the United States Department of Veterans  
21 Affairs evidencing the applicant has a disability rating of at  
22 least 50 percent; and
- 23 (2) a statement in a form prescribed by the secretary  
24 of state that the applicant does not have a form of identification  
25 acceptable under Section 63.0101.

26 SECTION 11. Section 13.004(c), Election Code, as amended by  
27 Chapters 469 (H.B. 4173), 489 (H.B. 3100), and 1146 (H.B. 2910),

1 Acts of the 86th Legislature, Regular Session, 2019, is reenacted  
2 and amended to read as follows:

3 (c) The following information furnished on a registration  
4 application is confidential and does not constitute public  
5 information for purposes of Chapter 552, Government Code:

6 (1) a social security number;

7 (2) a Texas driver's license number;

8 (3) a number of a personal identification card issued  
9 by the Department of Public Safety;

10 (4) ~~[an indication that an applicant is interested in  
11 working as an election judge,~~

12 ~~[(5)]~~ the residence address of the applicant, if the  
13 applicant is a federal judge or state judge, the spouse of a federal  
14 judge or state judge, the spouse of a peace officer as defined by  
15 Article 2.12, Code of Criminal Procedure, or an individual to whom  
16 Section 552.1175, Government Code, or Section 521.1211,  
17 Transportation Code, applies and the applicant:

18 (A) included an affidavit with the registration  
19 application describing the applicant's status under this  
20 subdivision, if the applicant is a federal judge or state judge or  
21 the spouse of a federal judge or state judge;

22 (B) provided the registrar with an affidavit  
23 describing the applicant's status under this subdivision, if the  
24 applicant is a federal judge or state judge or the spouse of a  
25 federal judge or state judge; or

26 (C) provided the registrar with a completed form  
27 approved by the secretary of state for the purpose of notifying the

1 registrar of the applicant's status under this subdivision;

2           (5) [~~(6)~~] the residence address of the applicant, if  
3 the applicant, the applicant's child, or another person in the  
4 applicant's household is a victim of family violence as defined by  
5 Section 71.004, Family Code, who provided the registrar with:

6           (A) a copy of a protective order issued under  
7 Chapter 85, Family Code, or a magistrate's order for emergency  
8 protection issued under Article 17.292, Code of Criminal Procedure;  
9 or

10           (B) other independent documentary evidence  
11 necessary to show that the applicant, the applicant's child, or  
12 another person in the applicant's household is a victim of family  
13 violence;

14           (6) [~~(7)~~] the residence address of the applicant, if  
15 the applicant, the applicant's child, or another person in the  
16 applicant's household is a victim of sexual assault or abuse,  
17 stalking, or trafficking of persons who provided the registrar  
18 with:

19           (A) a copy of a protective order issued under  
20 Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a  
21 magistrate's order for emergency protection issued under Article  
22 17.292, Code of Criminal Procedure; or

23           (B) other independent documentary evidence  
24 necessary to show that the applicant, the applicant's child, or  
25 another person in the applicant's household is a victim of sexual  
26 assault or abuse, stalking, or trafficking of persons;

27           (7) [~~(8)~~] the residence address of the applicant, if

1 the applicant:

2 (A) is a participant in the address  
3 confidentiality program administered by the attorney general under  
4 Subchapter B, Chapter 58, Code of Criminal Procedure; and

5 (B) provided the registrar with proof of  
6 certification under Article 58.059, Code of Criminal Procedure; or

7 (8) [~~(9)~~] the telephone number of any applicant  
8 submitting documentation under Subdivision (4), (5), (6), or (7) [~~7~~  
9 ~~or (8)~~].

10 SECTION 12. Section 13.072(d), Election Code, is amended to  
11 read as follows:

12 (d) If an application clearly indicates that the applicant  
13 resides in another county, the registrar shall forward the  
14 application to the other county's registrar not later than the  
15 second day after the date the application is received [~~and, if the~~  
16 ~~other county is not contiguous, shall deliver written notice of~~  
17 ~~that action to the applicant not later than the seventh day after~~  
18 ~~the date the application is received~~]. The date of submission of a  
19 completed application to the wrong registrar is considered to be  
20 the date of submission to the proper registrar for purposes of  
21 determining the effective date of the registration.

22 SECTION 13. Section 13.142(a), Election Code, is amended to  
23 read as follows:

24 (a) After approval of a registration application, the  
25 registrar shall:

26 (1) prepare a voter registration certificate [~~in~~  
27 ~~duplicate~~] and issue the original certificate to the applicant; and

1           (2) enter the applicant's county election precinct  
2 number and registration number on the applicant's registration  
3 application.

4           SECTION 14. Section 13.143(d-2), Election Code, is amended  
5 to read as follows:

6           (d-2) For a registration application submitted by  
7 telephonic facsimile machine to be effective, a copy of the  
8 original registration application containing the voter's original  
9 signature must be submitted by personal delivery or mail and be  
10 received by the registrar not later than the fourth business day  
11 after the transmission by telephonic facsimile machine is received.

12           SECTION 15. Section 15.001(a), Election Code, is amended to  
13 read as follows:

14           (a) Each voter registration certificate issued must  
15 contain:

16           (1) the voter's name in the form indicated by the  
17 voter, subject to applicable requirements prescribed by Section  
18 13.002 and by rule of the secretary of state;

19           (2) the voter's residence address or, if the residence  
20 has no address, the address at which the voter receives mail and a  
21 concise description of the location of the voter's residence;

22           (3) the [~~month, day, and~~] year of the voter's birth;

23           (4) the number of the county election precinct in  
24 which the voter resides;

25           (5) the voter's effective date of registration if an  
26 initial certificate;

27           (6) the voter's registration number;



1           (7) an indication of the period for which the  
2 certificate is issued;

3           (8) a statement explaining the circumstances under  
4 which the voter will receive a new certificate;

5           (9) a space for stamping the voter's political party  
6 affiliation;

7           (10) a statement that voting with the certificate by a  
8 person other than the person in whose name the certificate is issued  
9 is a felony;

10           (11) a space for the voter's signature;

11           (12) a statement that the voter must sign the  
12 certificate personally, if able to sign, immediately on receipt;

13           (13) a space for the voter to correct the information  
14 on the certificate followed by a signature line;

15           (14) the statement: "If any information on this  
16 certificate changes or is incorrect, correct the information in the  
17 space provided, sign below, and return this certificate to the  
18 voter registrar.";

19           (15) the registrar's mailing address and telephone  
20 number; and

21           (16) the jurisdictional or distinguishing number for  
22 the following territorial units in which the voter resides, as  
23 determined by the voter registrar:

24                   (A) congressional district;

25                   (B) state senatorial district;

26                   (C) state representative district;

27                   (D) commissioners precinct;

- 1 (E) justice precinct;
- 2 (F) city election precinct; and
- 3 (G) school district election precinct.

4 SECTION 16. Section 15.022(a), Election Code, is amended to  
5 read as follows:

6 (a) The registrar shall make the appropriate corrections in  
7 the registration records, including, if necessary, deleting a  
8 voter's name from the suspense list:

9 (1) after receipt of a notice of a change in  
10 registration information under Section 15.021;

11 (2) after receipt of a voter's reply to a notice of  
12 investigation given under Section 16.033;

13 (3) after receipt of any affidavits executed under  
14 Section 63.006, following an election;

15 (4) after receipt of a voter's statement of residence  
16 executed under Section 63.0011;

17 (5) before the effective date of the abolishment of a  
18 county election precinct or a change in its boundary;

19 (6) after receipt of United States Postal Service  
20 information indicating an address reclassification;

21 (7) after receipt of a voter's response under Section  
22 15.053; [~~or~~]

23 (8) after receipt of a registration application or  
24 change of address under Chapter 20; or

25 (9) after notification of a data entry error of which  
26 the voter registrar is made aware under Section 63.0051.

27 SECTION 17. Section 15.023, Election Code, is amended to

1 read as follows:

2           Sec. 15.023. TIME FOR CERTAIN DELETIONS FROM SUSPENSE LIST.  
3 If the name of a voter [~~whose residence is changed~~] on the list of  
4 registered voters [~~registration records to another county election~~  
5 ~~precinct in the same county~~] appears on the suspense list, the  
6 voter's name shall be deleted from the list on the date the voter  
7 provides:

8           (1) a completed application to register to vote in  
9 accordance with Section 13.002; or

10           (2) a correction of information under Section  
11 15.021(d) [~~voter's registration in the precinct of new residence~~  
12 ~~becomes effective~~].

13           SECTION 18. Section 15.051(d), Election Code, is amended to  
14 read as follows:

15           (d) The registrar shall maintain with the voter's record an  
16 indication that a confirmation notice was sent to the voter [~~a list~~  
17 ~~of the confirmation notices mailed to voters, which for each notice~~  
18 ~~must include the voter's name and the date the notice is mailed.~~  
19 ~~The registrar shall maintain and retain the list in accordance with~~  
20 ~~rules prescribed by the secretary of state~~].

21           SECTION 19. Section 15.053(a), Election Code, is amended to  
22 read as follows:

23           (a) The [~~Not later than the 30th day after the date a~~  
24 ~~confirmation notice is mailed, the~~] voter shall submit to the  
25 registrar a written, signed response to the notice that confirms  
26 the voter's current residence. The response must contain all of the  
27 information that a person must include in an application to

1 register to vote under Section 13.002.

2 SECTION 20. Section 15.082(b), Election Code, is amended to  
3 read as follows:

4 (b) The ~~[fee for each]~~ list shall be provided in accordance  
5 with Chapter 552, Government Code ~~[or portion of a list furnished~~  
6 ~~under this section may not exceed the actual expense incurred in~~  
7 ~~reproducing the list or portion for the person requesting it and~~  
8 ~~shall be uniform for each type of copy furnished. The registrar~~  
9 ~~shall make reasonable efforts to minimize the reproduction~~  
10 ~~expenses].~~

11 SECTION 21. Section 16.031(a), Election Code, is amended to  
12 read as follows:

13 (a) The registrar shall cancel a voter's registration  
14 immediately on receipt of:

15 (1) notice under Section 13.072(b), ~~[or]~~ 15.021, or  
16 18.0681(d) or a response under Section 15.053 that the voter's  
17 residence is outside the county;

18 (2) an abstract of the voter's death certificate under  
19 Section 16.001(a) or an abstract of an application indicating that  
20 the voter is deceased under Section 16.001(b);

21 (3) an abstract of a final judgment of the voter's  
22 total mental incapacity, partial mental incapacity without the  
23 right to vote, conviction of a felony, or disqualification under  
24 Section 16.002, 16.003, or 16.004;

25 (4) notice under Section 112.012 that the voter has  
26 applied for a limited ballot in another county;

27 (5) notice from a voter registration official in

1 another state that the voter has registered to vote outside this  
2 state;

3 (6) notice from the early voting clerk under Section  
4 [101.053](#) that a federal postcard application submitted by an  
5 applicant states a voting residence address located outside the  
6 registrar's county; or

7 (7) notice from the secretary of state that the voter  
8 has registered to vote in another county, as determined by the  
9 voter's driver's license number or personal identification card  
10 number issued by the Department of Public Safety or social security  
11 number.

12 SECTION 22. Section [16.032](#), Election Code, is amended to  
13 read as follows:

14 Sec. 16.032. CANCELLATION FOLLOWING END OF SUSPENSE LIST  
15 PERIOD. If on November 30 following the second general election for  
16 state and county officers that occurs after the date the voter's  
17 name is entered on the suspense list a registered voter's name  
18 appears on the suspense list, the registrar shall cancel the  
19 voter's registration unless the name is to be deleted from the list  
20 under Section [15.022](#) or [15.023](#).

21 SECTION 23. Section [16.0921](#)(a), Election Code, is amended  
22 to read as follows:

23 (a) Except as provided by Subsection (c), on the filing of a  
24 sworn statement under Section [16.092](#) alleging a ground based on  
25 residence, the registrar shall promptly deliver to the voter whose  
26 registration is challenged a confirmation notice in accordance with  
27 Section [15.051](#), unless the residential address provided in the

1 challenge for the voter is different from the voter's current  
2 residential address indicated on the registration records.

3 SECTION 24. Section 18.002(c), Election Code, is amended to  
4 read as follows:

5 (c) An additional copy of each list shall be furnished for  
6 use in early voting and as needed in order to ensure all voters  
7 eligible to vote in an election appear correctly on the original  
8 list.

9 SECTION 25. Section 18.003(c), Election Code, is amended to  
10 read as follows:

11 (c) An additional copy of each list shall be furnished for  
12 use in early voting and as needed in order to ensure all voters  
13 eligible to vote in an election appear correctly on the original  
14 list.

15 SECTION 26. Section 18.005(a), Election Code, is amended to  
16 read as follows:

17 (a) Each original and supplemental list of registered  
18 voters must:

19 (1) contain the voter's name, date of birth, and  
20 registration number as provided by the statewide computerized voter  
21 registration list;

22 (2) contain the voter's residence address, except as  
23 provided by Subsections (b) and (c) [~~or Section 18.0051~~];

24 (3) be arranged alphabetically by voter name; and

25 (4) contain the notation required by Section 15.111.

26 SECTION 27. Sections 18.061(b) and (d), Election Code, are  
27 amended to read as follows:

1 (b) The statewide computerized voter registration list  
2 must:

3 (1) contain the name and registration information of  
4 each voter registered in the state;

5 (2) assign a unique identifier to each registered  
6 voter; and

7 (3) be available to any county election official in  
8 the state through immediate electronic access.

9 (d) The secretary of state may contract with counties to  
10 provide them with electronic data services to facilitate the  
11 implementation and maintenance of the statewide computerized voter  
12 registration list. The secretary shall use funds collected under  
13 the contracts to defray expenses incurred in implementing and  
14 maintaining the statewide computerized voter registration list.

15 SECTION 28. Section 18.0681(d), Election Code, is amended  
16 to read as follows:

17 (d) If the secretary of state determines that a voter on the  
18 registration list has more than one registration record on file  
19 based on a strong match, the secretary shall send notice of the  
20 determination to the voter registrar of the ~~[each]~~ county with the  
21 oldest registration record in which the voter is registered to  
22 vote. If the voter records identified are:

23 (1) located in the same county, the voter registrar  
24 may merge the records following a determination that each record  
25 belongs to the same voter using the procedure for the correction of  
26 registration records under Section 15.022; or

27 (2) located in more than one county, the registrar of

1 the county with the oldest record may deliver a written  
2 confirmation notice in accordance with Section 15.051 or cancel the  
3 registration of the voter in accordance with Section 16.031(a)(1),  
4 provided that the voter's record in the county with the newest  
5 registration record is not on the suspense list.

6 SECTION 29. Section 18.069, Election Code, is amended to  
7 read as follows:

8 Sec. 18.069. VOTING HISTORY. Not later than the 30th day  
9 after the date of the primary, runoff primary, or general election  
10 or any special election ordered by the governor, the general  
11 custodian of election records [~~registrar~~] shall electronically  
12 submit to the secretary of state the record of each voter  
13 participating in the election. The record must include a notation  
14 of whether the voter voted on election day, voted early by personal  
15 appearance, voted early by mail under Chapter 86, or voted early by  
16 mail under Chapter 101.

17 SECTION 30. Section 31.093(a), Election Code, is amended to  
18 read as follows:

19 (a) Subject to Section 41.001(d), if [~~If~~] requested to do so  
20 by a political subdivision, the county elections administrator  
21 shall enter into a contract to furnish the election services  
22 requested, in accordance with a cost schedule agreed on by the  
23 contracting parties.

24 SECTION 31. Section 31.096, Election Code, is amended to  
25 read as follows:

26 Sec. 31.096. NONTRANSFERABLE FUNCTIONS. An election  
27 services contract may not change:



1 (1) the authority with whom applications of candidates  
2 for a place on a ballot are filed;

3 (2) the authority with whom documents are filed under  
4 Title 15; or

5 (3) the political subdivision's requirement to  
6 maintain office hours under Section 31.122 [~~authority to serve as~~  
7 ~~custodian of voted ballots or other election records, except that a~~  
8 ~~contract with a political subdivision other than a city may provide~~  
9 ~~that the county election officer will be the custodian of voted~~  
10 ~~ballots~~].

11 SECTION 32. Section 31.124(a), Election Code, is amended to  
12 read as follows:

13 (a) A county election officer of each county shall hold a  
14 meeting with the county chair of each political party to discuss, as  
15 appropriate, the following for each primary election or general  
16 election for state and county officers:

17 (1) the lists provided by each political party under  
18 Section 85.009;

19 (2) the lists provided by each political party under  
20 Section 87.002(c); [~~and~~]

21 (3) the implementation of Subchapters A, B, C, and D,  
22 Chapter 87; and

23 (4) holding a joint primary, entering into an election  
24 services contract, and polling place locations.

25 SECTION 33. Section 32.114(a), Election Code, is amended to  
26 read as follows:

27 (a) The county clerk shall provide one or more sessions of

1 training using the standardized training program and materials  
2 developed and provided by the secretary of state under Section  
3 32.111 for the election judges and clerks appointed to serve in  
4 elections ordered by the governor or a county authority. Each  
5 election judge shall complete the training program. The training  
6 program must include specific procedures related to the early  
7 voting ballot board and the central counting station, as  
8 applicable. Each election clerk shall complete the part of the  
9 training program relating to the acceptance and handling of the  
10 identification presented by a voter to an election officer under  
11 Section 63.001.

12 SECTION 34. Section 33.054, Election Code, is amended to  
13 read as follows:

14 Sec. 33.054. HOURS OF SERVICE AT EARLY VOTING BALLOT BOARD  
15 MEETING OR SIGNATURE VERIFICATION COMMITTEE MEETING. (a) A  
16 watcher serving at the meeting place of an early voting ballot board  
17 or signature verification committee may be present at any time the  
18 board or committee is processing or counting ballots and until the  
19 board or committee completes its duties. The watcher may serve  
20 during the hours the watcher chooses, except as provided by  
21 Subsection (b).

22 (b) A watcher serving at the meeting place of an early  
23 voting ballot board may not leave during voting hours on election  
24 day without the presiding judge's permission if the board has  
25 recorded any votes cast on voting machines or counted any ballots,  
26 unless the board has completed its duties and has been dismissed by  
27 the presiding judge.

1 SECTION 35. Sections 41.001(a) and (b), Election Code, are  
2 amended to read as follows:

3 (a) Except as otherwise provided by this subchapter, each  
4 general or special election in this state shall be held on one of  
5 the following dates:

6 (1) the first Saturday in May in an odd-numbered year;

7 (2) the first Saturday in May in an even-numbered  
8 year, for an election held by a political subdivision other than a  
9 county, or ordered by the governor; or

10 (3) the first Tuesday after the first Monday in  
11 November.

12 (b) Subsection (a) does not apply to:

13 (1) a runoff election;

14 (2) an election to resolve a tie vote;

15 (3) an election held under an order of a court or other  
16 tribunal;

17 (4) an emergency election ordered under Section  
18 41.0011 or any resulting runoff;

19 (5) an expedited election to fill a vacancy in the  
20 legislature held under Section 203.013;

21 (6) an election held under a statute that expressly  
22 provides that the requirement of Subsection (a) does not apply to  
23 the election; or

24 (7) the initial election of the members of the  
25 governing body of a newly incorporated city.

26 SECTION 36. Sections 43.007(a) and (m), Election Code, are  
27 amended to read as follows:

1 (a) The secretary of state shall implement a program to  
2 allow each commissioners court participating in the program to  
3 eliminate county election precinct polling places and establish  
4 countywide polling places for:

5 (1) any election required to be conducted by the  
6 county [~~each general election for state and county officers~~];

7 (2) any election held as part of a joint election  
8 agreement with a county under Chapter 271 [~~each election held on the~~  
9 ~~uniform election date in May and any resulting runoff~~];

10 (3) any election held under contract for election  
11 services with a county under Subchapter D, Chapter 31 [~~each~~  
12 ~~election on a proposed constitutional amendment~~];

13 (4) each primary election and runoff primary election  
14 if:

15 (A) the county chair or county executive  
16 committee of each political party participating in a joint primary  
17 election under Section 172.126 agrees to the use of countywide  
18 polling places; or

19 (B) the county chair or county executive  
20 committee of each political party required to nominate candidates  
21 by primary election agrees to use the same countywide polling  
22 places; and

23 (5) each election of a political subdivision located  
24 in the county that is held jointly with an election described by  
25 Subdivision [~~(1), (2)~~] (3)[~~7~~] or (4).

26 (m) In adopting a methodology under Subsection (f), the  
27 county must ensure that:

1 (1) each county commissioners precinct contains at  
2 least one countywide polling place; and

3 (2) the total number of [~~permanent branch and~~  
4 ~~temporary branch~~] polling places open for voting in a county  
5 commissioners precinct does not exceed more than twice the number  
6 of [~~permanent branch and temporary branch~~] polling places in  
7 another county commissioners precinct.

8 SECTION 37. Section 52.070, Election Code, is amended by  
9 amending Subsections (a), (b), and (e) and adding Subsection (f) to  
10 read as follows:

11 (a) A shape [~~square~~] for voting shall be printed to the left  
12 of each candidate's name on a ballot.

13 (b) Immediately below "OFFICIAL BALLOT," the following  
14 instruction shall be printed: "Vote for the candidate of your  
15 choice in each race by placing an 'X' or filling in the shape  
16 [~~square~~] beside the candidate's name."

17 (e) A shape [~~square~~] shall be printed to the left of each  
18 line provided for write-in voting under Section 52.066(c), but  
19 failure to place a mark in the shape [~~square~~] does not affect the  
20 counting of a write-in vote.

21 (f) Any variation from this instruction must be approved by  
22 the secretary of state.

23 SECTION 38. Section 52.094(d), Election Code, is amended to  
24 read as follows:

25 (d) The [~~For an election held at county expense or a city~~  
26 ~~election, on receipt of a candidate's written request accompanied~~  
27 ~~by a stamped, self-addressed envelope, the authority conducting the~~

1 ~~drawing shall mail written notice of the date, hour, and place of~~  
2 ~~the drawing to the candidate. For an election held by any other~~  
3 ~~political subdivision, the] authority conducting the drawing shall~~  
4 provide [~~mail written~~] notice of the date, hour, and place of the  
5 drawing to each candidate by:

6 (1) written notice:

7 (A) mailed to [~~at~~] the address stated on the  
8 candidate's application for a place on the ballot, not later than  
9 the fourth day before the date of the drawing; or

10 (B) provided at the time the candidate files an  
11 application with the appropriate authority;

12 (2) telephone, if a telephone number is provided on  
13 the candidate's application for a place on the ballot; or

14 (3) e-mail, if an e-mail address is provided on the  
15 candidate's application for a place on the ballot.

16 SECTION 39. Chapter 63, Election Code, is amended by adding  
17 Sections 63.005 and 63.0051 to read as follows:

18 Sec. 63.005. REGISTRATION OMISSIONS LIST. (a) A  
19 registration omissions list shall be maintained by an election  
20 officer at the polling place.

21 (b) With respect to each voter who is accepted for voting  
22 but whose name is not on the list of registered voters for the  
23 precinct in which the voter is accepted, the election officer shall  
24 record:

25 (1) the voter's name, residence address, and voter  
26 registration number, if known; and

27 (2) a notation of the section of this code under which

1 the voter is accepted that provides for accepting voters who are not  
2 on the list.

3 Sec. 63.0051. CONFIRMING REGISTRATION STATUS OF VOTER. (a)  
4 If the name of a voter who is offering to vote is not on the precinct  
5 list of registered voters, an election officer may contact the  
6 voter registrar regarding the voter's registration status.

7 (b) If the election officer determines the voter is a  
8 registered voter of the territory covered by the election but is  
9 offering to vote in the incorrect precinct, the election officer  
10 shall provide the correct precinct location information to the  
11 voter.

12 (c) Notwithstanding Section 63.009, a voter shall be  
13 accepted for voting if the voter's identity has been verified from  
14 documentation as required by Section 63.001(b) and it can be  
15 determined from the voter registrar that:

16 (1) the voter's registration was improperly canceled  
17 and has been reinstated under Section 16.037;

18 (2) an error in the voter registration record caused  
19 the voter's name to not appear on the list of registered voters, and  
20 the error has been corrected under Section 15.022; or

21 (3) the voter's name has been inadvertently left off  
22 the list of registered voters for the precinct.

23 (d) After the voter is accepted under Subsection (c), an  
24 election officer shall enter the voter's name on the registration  
25 omissions list.

26 (e) The voter shall be accepted for provisional voting under  
27 Section 63.011 if the election officer cannot determine that the

1 voter is a registered voter of the territory covered by the election  
2 in which the voter is offering to vote.

3 SECTION 40. Section 65.052, Election Code, is amended to  
4 read as follows:

5 Sec. 65.052. DUTY OF VOTER REGISTRAR. The secretary of  
6 state shall prescribe procedures by which the voter registrar of  
7 the county in which a provisional ballot is cast shall provide  
8 assistance to the early voting ballot board in executing its  
9 authority under this subchapter. In an election described by  
10 Section 65.051(a-1), the procedures must allow for 10 [~~seven~~]  
11 calendar days for the voter registrar to review a provisional  
12 voter's eligibility.

13 SECTION 41. Subchapter B, Chapter 65, Election Code, is  
14 amended by adding Section 65.0581 to read as follows:

15 Sec. 65.0581. PUBLIC INSPECTION OF PROVISIONAL VOTING  
16 RECORDS. Provisional voting records are not available for public  
17 inspection until the first business day after the date the early  
18 voting ballot board completes the verification and counting of  
19 provisional ballots under Section 65.051 and delivers the  
20 provisional ballots and other provisional voting records to the  
21 general custodian of election records.

22 SECTION 42. Chapter 82, Election Code, is amended by adding  
23 Section 82.008 to read as follows:

24 Sec. 82.008. INVOLUNTARY CIVIL COMMITMENT. A qualified  
25 voter is eligible for early voting by mail if, at the time the  
26 voter's early voting ballot application is submitted, the voter is  
27 a person who is civilly committed as a sexually violent predator



1 under Chapter 841, Health and Safety Code, and is ordered as a  
2 condition of civil commitment to reside in a facility operated by or  
3 under contract with the Texas Civil Commitment Office.

4 SECTION 43. Section 83.010, Election Code, is amended to  
5 read as follows:

6 Sec. 83.010. PUBLIC NOTICE OF CLERK'S MAILING ADDRESS. An  
7 election order and the election notice must state the early voting  
8 clerk's official mailing address or street address at which the  
9 clerk may receive delivery by common or contract carrier, if  
10 different, phone number, e-mail address, and Internet website, if  
11 the early voting clerk has an Internet website~~[, except for an~~  
12 ~~election in which a county clerk or city secretary is the early~~  
13 ~~voting clerk under Section 83.002 or 83.005].~~

14 SECTION 44. Section 84.002(a), Election Code, is amended to  
15 read as follows:

16 (a) An early voting ballot application must include:

17 (1) the applicant's name and the address at which the  
18 applicant is registered to vote;

19 (2) for an application for a ballot to be voted by mail  
20 on the ground of absence from the county of residence, the address  
21 outside the applicant's county of residence to which the ballot is  
22 to be mailed;

23 (3) for an application for a ballot to be voted by mail  
24 on the ground of age or disability, the address of the hospital,  
25 nursing home or other long-term care facility, or retirement  
26 center, or of a person related to the applicant within the second  
27 degree by affinity or the third degree by consanguinity, as

1 determined under Chapter 573, Government Code, if the applicant is  
2 living at that address and that address is different from the  
3 address at which the applicant is registered to vote;

4 (4) for an application for a ballot to be voted by mail  
5 on the ground of confinement in jail, the address of the jail or of a  
6 person related to the applicant within the degree described by  
7 Subdivision (3);

8 (5) for an application for a ballot to be voted by mail  
9 on any ground, an indication of each election for which the  
10 applicant is applying for a ballot; ~~and~~

11 (6) an indication of the ground of eligibility for  
12 early voting; and

13 (7) for an application for a ballot to be voted by mail  
14 on the ground of involuntary civil commitment, the address of the  
15 facility operated by or under contract with the Texas Civil  
16 Commitment Office or of a person related to the applicant within the  
17 degree of consanguinity described by Subdivision (3).

18 SECTION 45. Section 84.007(e), Election Code, is amended to  
19 read as follows:

20 (e) The early voting clerk shall designate an e-mail address  
21 for receipt of an application under Subsection (b)(4). The  
22 secretary of state shall include the e-mail address designated by  
23 each early voting clerk ~~[addresses]~~ on the secretary of state's  
24 website.

25 SECTION 46. Section 84.008(a), Election Code, is amended to  
26 read as follows:

27 (a) Except as otherwise provided by this code, an ~~[An]~~

1 applicant for a ballot to be voted by mail may submit the  
2 application by delivering it in person to the early voting clerk if  
3 the application is submitted not later than the close of regular  
4 business in the clerk's office on the day before the first day of  
5 the period for early voting by personal appearance.

6 SECTION 47. Section 84.011(a), Election Code, is amended to  
7 read as follows:

8 (a) The officially prescribed application form for an early  
9 voting ballot must include:

10 (1) immediately preceding the signature space the  
11 statement: "I certify that the information given in this  
12 application is true, and I understand that giving false information  
13 in this application is a crime.";

14 (2) a statement informing the applicant of the  
15 offenses prescribed by Sections 84.003 and 84.004;

16 (3) spaces for entering an applicant's voter  
17 registration number and county election precinct of registration,  
18 with a statement informing the applicant that failure to furnish  
19 that information does not invalidate the application; and

20 (4) on an application for a ballot to be voted by mail:

21 (A) a space for an applicant applying on the  
22 ground of absence from the county of residence to indicate the date  
23 on or after which the applicant can receive mail at the address  
24 outside the county;

25 (B) a space for indicating the fact that an  
26 applicant whose application is signed by a witness cannot make the  
27 applicant's mark and a space for indicating the relationship or

1 lack of relationship of the witness to the applicant;

2 (C) a space for entering an applicant's telephone  
3 number, with a statement informing the applicant that failure to  
4 furnish that information does not invalidate the application;

5 (D) a space or box for an applicant applying on  
6 the ground of age or disability to indicate that the address to  
7 which the ballot is to be mailed is the address of a facility or  
8 relative described by Section 84.002(a)(3), if applicable;

9 (E) a space or box for an applicant applying on  
10 the ground of confinement in jail or involuntary civil commitment  
11 to indicate that the address to which the ballot is to be mailed is  
12 the address of a relative described by Section 84.002(a)(4) or (7),  
13 if applicable;

14 (F) a space for an applicant applying on the  
15 ground of age or disability to indicate if the application is an  
16 application under Section 86.0015;

17 (G) spaces for entering the signature, printed  
18 name, and residence address of any person assisting the applicant;

19 (H) a statement informing the applicant of the  
20 condition prescribed by Section 81.005; and

21 (I) a statement informing the applicant of the  
22 requirement prescribed by Section 86.003(c).

23 SECTION 48. Section 85.004, Election Code, is amended to  
24 read as follows:

25 Sec. 85.004. PUBLIC NOTICE OF MAIN POLLING PLACE LOCATION.  
26 The election order and the election notice must designate and state  
27 the location of the main early voting polling place.

1 SECTION 49. Section 85.007(d), Election Code, is amended to  
2 read as follows:

3 (d) Any notice required under this section must also be  
4 posted:

5 (1) on the Internet website of the authority ordering  
6 the election, if the authority maintains a website; and

7 (2) for a primary election or the general election for  
8 state and county officers, by the secretary of state on the  
9 secretary's Internet website.

10 SECTION 50. Section 85.062(d), Election Code, is amended to  
11 read as follows:

12 (d) In a primary election, the general election for state  
13 and county officers, or a special election to fill a vacancy in the  
14 legislature or in congress:

15 (1) the commissioners court of a county with a  
16 population of 400,000 or more shall establish one or more early  
17 voting polling places other than the main early voting polling  
18 place in each state representative district containing territory  
19 covered by the election, except that the polling place or places  
20 shall be established in the state senatorial or congressional  
21 district, as applicable, in a special election to fill a vacancy in  
22 the office of state senator or United States representative;

23 (2) the commissioners court of a county with a  
24 population of 120,000 or more but less than 400,000 shall establish  
25 one or more early voting polling places other than the main early  
26 voting polling place in each commissioners precinct containing  
27 territory covered by the election; and

1           (3) the early voting clerk [~~commissioners court~~] of a  
2 county with a population of 100,000 or more but less than 120,000  
3 shall establish one or more early voting polling places as  
4 described by Subdivision (2) in each precinct for which the early  
5 voting clerk [~~commissioners court~~] receives in time to enable  
6 compliance with Section 85.067 a written request for that action  
7 submitted by at least 15 registered voters of that precinct.

8           SECTION 51. Section 86.0015(c), Election Code, is amended  
9 to read as follows:

10           (c) In an election of a political subdivision located in a  
11 county in which the county clerk is not the early voting clerk, the  
12 county clerk shall provide the early voting clerk of the political  
13 subdivision that is holding the election a list of voters in the  
14 portion of the political subdivision located in the county who have  
15 ballot applications on file under this section along with copies of  
16 the applications submitted by those voters. The early voting clerk  
17 shall provide a ballot to be voted by mail to each voter on the list  
18 for whom the early voting clerk received a copy of an application  
19 submitted under this section.

20           SECTION 52. Section 86.002(f), Election Code, is amended to  
21 read as follows:

22           (f) The clerk shall include with the balloting materials:  
23               (1) a notice of the clerk's physical address for  
24 purposes of return by common or contract carrier or personal  
25 delivery in accordance with Section 86.006(a-1); and

26               (2) the list of declared write-in candidates for the  
27 election, if applicable.

1 SECTION 53. Sections 86.003(c) and (d), Election Code, are  
2 amended to read as follows:

3 (c) The address to which the balloting materials must be  
4 addressed is the address at which the voter is registered to vote,  
5 or the registered mailing address if different, unless the ground  
6 for voting by mail is:

7 (1) absence from the county of residence, in which  
8 case the address must be an address outside the voter's county of  
9 residence;

10 (2) confinement in jail, in which case the address  
11 must be the address of the jail or of a relative described by  
12 Section 84.002(a)(4); ~~[or]~~

13 (3) age or disability and the voter is living at a  
14 hospital, nursing home or other long-term care facility, or  
15 retirement center, or with a relative described by Section  
16 84.002(a)(3), in which case the address must be the address of that  
17 facility or relative; or

18 (4) involuntary civil commitment, in which case the  
19 address must be the address of the facility or of a relative  
20 described by Section 84.002(a)(7).

21 (d) If the applicable address specified in a voter's  
22 application is an address other than that prescribed by Subsection  
23 (c) or subject to Section 86.002(a), the voter's application shall  
24 be rejected in accordance with Section 86.001(c).

25 SECTION 54. Section 86.009, Election Code, is amended by  
26 amending Subsection (e) and adding Subsection (f) to read as  
27 follows:

1           (e) Except as provided by Subsection (f), a [A] voter's  
2 defective ballot that is timely returned to the clerk as a marked  
3 ballot shall be treated as:

4           (1) a marked ballot not timely returned if the  
5 corrected ballot is timely returned as a marked ballot by the close  
6 of the polls on election day; or

7           (2) as the voter's ballot for the election if the  
8 corrected ballot is not timely returned by the close of the polls on  
9 election day.

10           (f) A ballot to be voted by mail under Chapter 101 corrected  
11 under this section may be counted if it is timely returned as  
12 required by Section 101.057.

13           SECTION 55. Section 87.0222(a), Election Code, is amended  
14 to read as follows:

15           (a) Notwithstanding Section 87.024, in an election  
16 conducted by an authority of a county with a population of 100,000  
17 or more, or conducted jointly with such a county or conducted with  
18 such a county through a contract for election services, the jacket  
19 envelopes containing the early voting ballots voted by mail may be  
20 delivered to the board between the end of the ninth day before the  
21 last day of the period for early voting by personal appearance and  
22 the closing of the polls on election day, or as soon after closing  
23 as practicable, at the time or times specified by the presiding  
24 judge of the board.

25           SECTION 56. Section 87.0241(b), Election Code, is amended  
26 to read as follows:

27           (b) The board may not count early voting ballots until:



1 (1) the polls open on election day; or

2 (2) in an election conducted by an authority of a  
3 county with a population of 100,000 or more, or conducted jointly  
4 with such a county or conducted with such a county through a  
5 contract for election services, the end of the period for early  
6 voting by personal appearance.

7 SECTION 57. Section 87.102(b), Election Code, is amended to  
8 read as follows:

9 (b) Early voting ballots that are to be duplicated under  
10 this section [~~shall be delivered to the central counting station as~~  
11 ~~prescribed by Section 87.101 and~~] shall be treated in the same  
12 manner as damaged electronic system ballots that are duplicated for  
13 automatic counting.

14 SECTION 58. Section 101.001, Election Code, is amended to  
15 read as follows:

16 Sec. 101.001. ELIGIBILITY. A person is eligible for early  
17 voting by mail as provided by this chapter if:

18 (1) the person is qualified to vote in this state or,  
19 if not registered to vote in this state, would be qualified if  
20 registered; and

21 (2) the person is:

22 (A) a member of the armed forces of the United  
23 States, or the spouse or a dependent of a member;

24 (B) a member of the merchant marine of the United  
25 States, or the spouse or a dependent of a member;

26 (B-1) a member of the Texas National Guard or the  
27 National Guard of another state or a member of a reserve component

1 of the armed forces of the United States serving on active duty  
2 under an order of the president of the United States or activated on  
3 state orders, or the spouse or dependent of a member; or

4 (C) domiciled in this state but temporarily  
5 living outside the territorial limits of the United States and the  
6 District of Columbia.

7 SECTION 59. Section 101.003(1), Election Code, is amended  
8 to read as follows:

9 (1) "Federal postcard application" means an  
10 application for a ballot to be voted under this chapter submitted on  
11 the official federal form prescribed under the federal Uniformed  
12 and Overseas Citizens Absentee Voting Act (52 U.S.C. Sections 20301  
13 through 20311) [~~(42 U.S.C. Section 1973ff et seq.)~~].

14 SECTION 60. Section 101.008, Election Code, is amended to  
15 read as follows:

16 Sec. 101.008. STATUS OF APPLICATION OR BALLOT VOTED. The  
17 secretary of state, in coordination with county [~~local~~] election  
18 officials, shall implement an electronic free-access system by  
19 which a person eligible for early voting by mail under this chapter  
20 or Chapter 114 may determine by telephone, by e-mail, or over the  
21 Internet whether:

22 (1) the person's federal postcard application or other  
23 registration or ballot application has been received and accepted;  
24 and

25 (2) the person's ballot has been received and the  
26 current status of the ballot.

27 SECTION 61. Sections 101.052(a-1) and (c), Election Code,

1 are amended to read as follows:

2 (a-1) A federal postcard application must be submitted by:

3 (1) mail; ~~or~~

4 (2) electronic transmission of an image of the  
5 application under procedures prescribed by the secretary of state;

6 (3) in-person delivery in accordance with Section  
7 84.008; or

8 (4) common or contract carrier.

9 (c) An application is considered submitted in the following  
10 calendar year for purposes of this section if:

11 (1) the applicant is eligible to vote in an election  
12 occurring in January or February of the next calendar year; and

13 (2) the application is submitted in the last 60 days of  
14 a calendar year but not earlier than the 60th day before the date of  
15 the January or February election [~~A federal postcard application~~  
16 ~~requesting a ballot for an election to be held in January or~~  
17 ~~February may be submitted in the preceding calendar year but not~~  
18 ~~earlier than the earliest date for submitting a regular application~~  
19 ~~for a ballot to be voted by mail].~~

20 SECTION 62. Section 101.054(c), Election Code, is amended  
21 to read as follows:

22 (c) An application shall be treated as if it requests a  
23 ballot for a runoff election that results from an election for which  
24 a ballot is requested, including a runoff election that occurs in  
25 the next calendar year.

26 SECTION 63. Section 101.056(a), Election Code, is amended  
27 to read as follows:

1           (a) The balloting materials provided under this subchapter  
2 shall be airmailed to the voter free of United States postage, as  
3 provided by the federal Uniformed and Overseas Citizens Absentee  
4 Voting Act (52 U.S.C. Sections 20301 through 20311) [~~(42 U.S.C.~~  
5 ~~Section 1973ff et seq.)~~], in an envelope labeled "Official Election  
6 Balloting Material - via Airmail." The secretary of state shall  
7 provide early voting clerks with instructions on compliance with  
8 this subsection.

9           SECTION 64. Section 101.057(b), Election Code, is amended  
10 to read as follows:

11           (b) A ballot voted by a voter described by Section  
12 101.001(2)(A), ~~[or]~~ (B), or (B-1) shall be counted if the ballot  
13 arrives at the address on the carrier envelope not later than the  
14 sixth day after the date of the election, except that if that date  
15 falls on a Saturday, Sunday, or legal state or national holiday,  
16 then the deadline is extended to the next regular business day.

17           SECTION 65. Section 101.058, Election Code, is amended to  
18 read as follows:

19           Sec. 101.058. OFFICIAL CARRIER ENVELOPE. The officially  
20 prescribed carrier envelope for voting under this subchapter shall  
21 be prepared so that it can be mailed free of United States postage,  
22 as provided by the federal Uniformed and Overseas Citizens Absentee  
23 Voting Act (52 U.S.C. Sections 20301 through 20311) [~~(42 U.S.C.~~  
24 ~~Section 1973ff et seq.)~~], and must contain the label prescribed by  
25 Section 101.056(a) for the envelope in which the balloting  
26 materials are sent to a voter. The secretary of state shall provide  
27 early voting clerks with instructions on compliance with this

1 section.

2 SECTION 66. Section 101.102(b), Election Code, is amended  
3 to read as follows:

4 (b) The early voting clerk shall grant a request made under  
5 this section for the e-mail transmission of balloting materials if:

6 (1) the requestor has submitted a valid federal  
7 postcard application and:

8 (A) if the requestor is a person described by  
9 Section 101.001(2)(C), has provided a current mailing address that  
10 is located outside the United States; or

11 (B) if the requestor is a person described by  
12 Section 101.001(2)(A), ~~[or]~~ (B), or (B-1), has provided a current  
13 mailing address that is located outside the requestor's county of  
14 residence;

15 (2) the requestor provides an e-mail address:

16 (A) that corresponds to the address on file with  
17 the requestor's federal postcard application; or

18 (B) stated on a newly submitted federal postcard  
19 application;

20 (3) the request is submitted on or before the deadline  
21 prescribed by Section 84.007 [~~seventh day before the date of the~~  
22 ~~election~~]; and

23 (4) a marked ballot for the election from the  
24 requestor has not been received by the early voting clerk.

25 SECTION 67. Section 101.107(a), Election Code, is amended  
26 to read as follows:

27 (a) A voter described by Section 101.001(2)(A), ~~[or]~~ (B), or

1 (B-1) must be voting from outside the voter's county of residence.  
2 A voter described by Section 101.001(2)(C) must be voting from  
3 outside the United States.

4 SECTION 68. Section 102.002, Election Code, is amended to  
5 read as follows:

6 Sec. 102.002. CONTENTS OF APPLICATION. An application for  
7 a late ballot must comply with the applicable provisions of Section  
8 84.002 and must include or be accompanied by a certificate of a  
9 licensed physician or chiropractor or accredited Christian Science  
10 practitioner in substantially the following form:

11 "This is to certify that I know that \_\_\_\_\_ has a sickness  
12 or physical condition that will prevent him or her from appearing at  
13 the polling place for an election to be held on the \_\_\_\_\_ day  
14 of \_\_\_\_\_, 20 [~~19~~]\_\_\_\_, without a likelihood of needing personal  
15 assistance or of injuring his or her health and that the sickness or  
16 physical condition originated on or after \_\_\_\_\_.

17 "Witness my hand at \_\_\_\_\_, Texas, this \_\_\_\_\_ day of  
18 \_\_\_\_\_, 20 [~~19~~]\_\_\_\_.

19 \_\_\_\_\_  
20 (signature of physician,  
21 chiropractor, or practitioner)"

22 SECTION 69. Section 113.003, Election Code, is amended to  
23 read as follows:

24 Sec. 113.003. SUBMITTING APPLICATION FOR MAIL BALLOT. An  
25 application for a presidential ballot to be voted by mail must be  
26 submitted to the early voting clerk serving the county of the  
27 applicant's most recent registration to vote by the deadline

1 prescribed by Section 84.007.

2 SECTION 70. Section 141.032(g), Election Code, is amended  
3 to read as follows:

4 (g) Except as otherwise provided by this code [~~After the~~  
5 ~~filing deadline~~]:

6 (1) a candidate may not amend an application filed  
7 under Section 141.031; and

8 (2) the authority with whom the application is filed  
9 may not accept an amendment to an application filed under Section  
10 141.031.

11 SECTION 71. Section 141.034(a), Election Code, is amended  
12 to read as follows:

13 (a) An application for a place on the ballot may not be  
14 challenged for compliance with the applicable requirements as to  
15 form, content, and procedure after the 50th day before the date of  
16 ~~[day before any ballot to be voted early by mail is mailed to an~~  
17 ~~address in the authority's jurisdiction for]~~ the election for which  
18 the application is made.

19 SECTION 72. The heading to Section 141.040, Election Code,  
20 is amended to read as follows:

21 Sec. 141.040. NOTICE OF DEADLINES AND FILING METHODS.

22 SECTION 73. Section 141.040, Election Code, is amended by  
23 adding Subsection (c) to read as follows:

24 (c) An authority shall designate an e-mail address in the  
25 notice required by this section for the purpose of filing an  
26 application for a place on the ballot under Section 143.004.

27 SECTION 74. Section 141.063, Election Code, is amended by

1 adding Subsection (e) to read as follows:

2 (e) The signer's residence address and registration address  
3 are not required to be the same if the signer would otherwise be  
4 able to vote for that office under Section 11.004 or 112.002.

5 SECTION 75. Chapter 141, Election Code, is amended by  
6 adding Subchapter D, and a heading is added to that subchapter to  
7 read as follows:

8 SUBCHAPTER D. COERCION OF CANDIDACY

9 SECTION 76. Section 2.054, Election Code, is transferred to  
10 Subchapter D, Chapter 141, Election Code, as added by this Act,  
11 redesignated as Section 141.101, Election Code, and amended to read  
12 as follows:

13 Sec. 141.101 [~~2.054~~]. COERCION AGAINST CANDIDACY  
14 PROHIBITED. (a) A [~~In an election that may be subject to this~~  
15 ~~subchapter, a~~] person commits an offense if by intimidation or by  
16 means of coercion the person influences or attempts to influence a  
17 person to:

18 (1) not file an application for a place on the ballot  
19 or a declaration of write-in candidacy; or

20 (2) withdraw as a candidate.

21 (b) In this section, "coercion" has the meaning assigned by  
22 Section 1.07, Penal Code.

23 (c) An offense under this section is a Class A misdemeanor  
24 unless the intimidation or coercion is a threat to commit a felony,  
25 in which event it is a felony of the third degree.

26 SECTION 77. Section 143.004, Election Code, is amended to  
27 read as follows:



1           Sec. 143.004. APPLICATION REQUIRED. (a) Subject to  
2 Section 143.005, to be entitled to a place on the ballot, a  
3 candidate must make an application for a place on the ballot.

4           (b) An application, other than an application required to be  
5 accompanied by fee, may be filed through e-mail transmission of the  
6 completed application in a scanned format to the e-mail address  
7 designated by the filing authority in the notice required under  
8 Section 141.040.

9           SECTION 78. Section 144.003(a), Election Code, is amended  
10 to read as follows:

11           (a) Except as otherwise provided by law, to be entitled to a  
12 place on the ballot, a candidate must make an application for a  
13 place on the ballot. An application, other than an application  
14 required to be accompanied by fee, may be filed through e-mail  
15 transmission of the completed application in a scanned format to  
16 the e-mail address designated by the filing authority in the notice  
17 required under Section 141.040.

18           SECTION 79. Section 145.003, Election Code, is amended by  
19 adding Subsection (j) to read as follows:

20           (j) This section does not apply to a challenge on an  
21 application under Section 141.034.

22           SECTION 80. Section 192.033(d), Election Code, is amended  
23 to read as follows:

24           (d) In conjunction with the certification required under  
25 Subsection (a), the secretary of state shall include appropriate  
26 ballot translation language, as applicable, for each language  
27 certified statewide or in a specific county by the director of the

1 census under the federal Voting Rights Act (52 U.S.C. Section  
2 10503) [~~42 U.S.C. Section 1973aa-1a~~].

3 SECTION 81. Subchapter B, Chapter 201, Election Code, is  
4 amended by adding Section 201.030 to read as follows:

5 Sec. 201.030. VACANCY RESULTING FROM RECALL ELECTION. For  
6 cities conducting recall elections, a vacancy in the officer's  
7 office occurs on the date of the final canvass of a successful  
8 recall election.

9 SECTION 82. Section 203.004(b), Election Code, is amended  
10 to read as follows:

11 (b) If the election is to be held as an emergency election,  
12 it shall be held on a Tuesday or Saturday occurring on or after the  
13 36th day and on or before the 64th [~~50th~~] day after the date the  
14 election is ordered.

15 SECTION 83. Section 212.001, Election Code, is amended to  
16 read as follows:

17 Sec. 212.001. GENERAL REQUIREMENTS FOR RECOUNT DOCUMENT. A  
18 recount document submitted under this title must:

- 19 (1) be in writing;
- 20 (2) identify the office or measure for which a recount  
21 is desired;
- 22 (3) state the grounds for the recount;
- 23 (4) state the side of the measure that the person  
24 requesting the recount represents, if applicable;
- 25 (5) identify the election precincts, grouped by county  
26 or other appropriate territorial unit if the election involves more  
27 than one local canvassing authority, for which a recount is desired

1 and must indicate the method of voting used in each precinct;

2 (6) be signed by:

3 (A) the person requesting the recount or, if  
4 there is more than one, any one or more of them; or

5 (B) an agent of the person requesting the  
6 recount;

7 (7) state each requesting person's name, residence  
8 address, and, if authorization to obtain the recount is based on  
9 eligibility to vote in the election, voter registration number, and  
10 county of registration if the election covers territory in more  
11 than one county;

12 (8) designate an agent who is a resident of this state  
13 to receive notice under this title on behalf of the person  
14 requesting the recount if:

15 (A) the person requesting the recount is not a  
16 resident of this state; or

17 (B) there is more than one person requesting the  
18 recount;

19 (9) state the mailing address and at least one  
20 telephone number, if any, at which the person requesting the  
21 recount or an agent, identified by name, may receive notice given  
22 under this title;

23 (10) state the mailing address, e-mail address, if  
24 any, and at least one telephone number, if any, at which the  
25 opposing candidates for the office or their agents, identified by  
26 name, may receive notice given under this title; and

27 (11) be accompanied by a deposit as provided by

1 Subchapter E.

2 SECTION 84. Section 212.002(b), Election Code, is amended  
3 to read as follows:

4 (b) The designation is not effective unless the document  
5 states the designee's name, address, e-mail address, if any, and  
6 telephone number, if any.

7 SECTION 85. Section 212.028(a), Election Code, is amended  
8 to read as follows:

9 (a) Except as provided by Subsection (b), a petition for an  
10 initial recount must be submitted by ~~[the later of:~~

11 ~~[(1) 5 p.m. of the fifth day after election day; or~~

12 ~~[(2)] 5 p.m. of the second day after the date the~~  
13 canvassing authority to whose presiding officer the petition must  
14 be submitted completes its canvass of the original election  
15 returns.

16 SECTION 86. Section 212.031(a), Election Code, is amended  
17 to read as follows:

18 (a) If a recount petition complies with the applicable  
19 requirements, the recount coordinator shall approve the petition  
20 and note on the petition its approved status and the date of the  
21 approval. The recount coordinator shall immediately notify the  
22 recount supervisor of the approval. The recount supervisor shall,  
23 with the written approval of the recount coordinator, order the  
24 recount to be held on the later of ~~[a date occurring not later than]~~  
25 the seventh day after the date the petition is determined to comply  
26 with the applicable requirements or the day after all ballots have  
27 been delivered to the general custodian of election records.

1 SECTION 87. Section 212.083, Election Code, is amended to  
2 read as follows:

3 Sec. 212.083. DEADLINE FOR SUBMITTING PETITION. The  
4 deadline for submitting a recount petition under this subchapter is  
5 ~~[the later of:~~

6 ~~[(1) 2 p.m. of the third day after election day; or~~

7 ~~[(2)]~~ 2 p.m. of the first day after the date of the  
8 local canvass.

9 SECTION 88. Section 212.112, Election Code, is amended to  
10 read as follows:

11 Sec. 212.112. AMOUNT OF DEPOSIT. The amount of the recount  
12 deposit is:

13 (1) \$60 for each of the entity's election day polling  
14 places ~~[precinct]~~ in which regular paper ballots were used; and

15 (2) \$100 for each of the entity's election day polling  
16 places ~~[precinct]~~ in which an electronic voting system was used.

17 SECTION 89. Section 216.003, Election Code, is amended to  
18 read as follows:

19 Sec. 216.003. INITIATING AUTOMATIC RECOUNT. For purposes  
20 of initiating an automatic recount, the authority designated under  
21 Section 212.026 shall order the recount ~~[request the recount in the~~  
22 ~~same manner as a recount petitioner under this title]~~.

23 SECTION 90. Section 272.009, Election Code, is amended by  
24 adding Subsection (c) to read as follows:

25 (c) To be eligible to serve as a clerk under this section, a  
26 person must:

27 (1) be a qualified voter of the state and satisfy any

1 additional eligibility requirements prescribed by written order of  
2 the commissioners court; or

3 (2) meet the eligibility requirements of a student  
4 election clerk under Section 32.0511.

5 SECTION 91. Section 277.002, Election Code, is amended by  
6 adding Subsection (f) to read as follows:

7 (f) The signer's residence address and the address listed on  
8 the signer's registration are not required to be the same if the  
9 signer is eligible to vote under Section 11.004 or 112.002.

10 SECTION 92. Section 277.0024, Election Code, is amended to  
11 read as follows:

12 Sec. 277.0024. COMPUTING NUMBER OF SIGNATURES. (a) Except  
13 as provided by Subsection (b), if [~~if~~] the minimum number of  
14 signatures required for a petition is determined by a computation  
15 applied to the number of registered voters of a particular  
16 territory, voters whose names appear on the list of registered  
17 voters with the notation "S", or a similar notation, shall be  
18 excluded from the computation.

19 (b) The signature of a voter whose name appears on the list  
20 of registered voters with the notation "S", or a similar notation,  
21 is considered valid if the voter:

22 (1) is otherwise eligible to vote in the territory;  
23 and

24 (2) provides a residence address located in the  
25 territory.

26 SECTION 93. The following provisions of the Election Code  
27 are repealed:

- 1           (1) Sections 15.082(c) and (d);
  - 2           (2) Subchapter F, Chapter 15;
  - 3           (3) Section 18.0051;
  - 4           (4) Section 18.008(c);
  - 5           (5) Section 31.099(b);
  - 6           (6) Section 42.061(c);
  - 7           (7) Section 84.008(b);
  - 8           (8) Section 87.101; and
  - 9           (9) Section 105.002.
- 10       SECTION 94. This Act takes effect September 1, 2021.