

By: Clardy

H.B. No. 3107

A BILL TO BE ENTITLED

AN ACT

relating to election practices and procedures.

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

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

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

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

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

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

(1) cast lots not later than the day before the date 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, ~~[commissioners~~
25 ~~court]~~ or by an authority of a city or school district must be given
26 by the method prescribed by Subsection (a)(1).

27 SECTION 9. Section 4.004(a), Election Code, is amended to

1 read as follows:

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

10 SECTION 10. Section 13.002(i), Election Code, is amended to

11 read as follows:

12 (i) An applicant who wishes to receive an exemption from the

13 requirements of Section 63.001(b) on the basis of disability must

14 submit [~~include with the person's application~~]:

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

25 SECTION 11. Section 13.004(c), Election Code, as amended by

26 Chapters 469 (H.B. 4173), 489 (H.B. 3100), and 1146 (H.B. 2910),

27 Acts of the 86th Legislature, Regular Session, 2019, is reenacted

1 and amended to read as follows:

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

5 (1) a social security number;

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

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

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

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

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

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

25 (C) provided the registrar with a completed form
26 approved by the secretary of state for the purpose of notifying the
27 registrar of the applicant's status under this subdivision;

1 (5) [~~(6)~~] the residence address of the applicant, if
2 the applicant, the applicant's child, or another person in the
3 applicant's household is a victim of family violence as defined by
4 Section 71.004, Family Code, who provided the registrar with:

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

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

13 (6) [~~(7)~~] the residence address of the applicant, if
14 the applicant, the applicant's child, or another person in the
15 applicant's household is a victim of sexual assault or abuse,
16 stalking, or trafficking of persons who provided the registrar
17 with:

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

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

26 (7) [~~(8)~~] the residence address of the applicant, if
27 the applicant:

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

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

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

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

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

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

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

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

27 (2) enter the applicant's county election precinct

1 number and registration number on the applicant's registration
2 application.

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

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

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

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

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

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

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

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

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

26 (6) the voter's registration number;

27 (7) an indication of the period for which the

1 certificate is issued;

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

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

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

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

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

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

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

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

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

23 (A) congressional district;

24 (B) state senatorial district;

25 (C) state representative district;

26 (D) commissioners precinct;

27 (E) justice precinct;

1 (F) city election precinct; and

2 (G) school district election precinct.

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

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

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

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

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

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

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

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

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

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

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

26 SECTION 17. Section 15.023, Election Code, is amended to
27 read as follows:

1 Sec. 15.023. TIME FOR CERTAIN DELETIONS FROM SUSPENSE LIST.

2 If the name of a voter [~~whose residence is changed~~] on the list of
3 registered voters [~~registration records to another county election~~
4 ~~precinct in the same county~~] appears on the suspense list, the
5 voter's name shall be deleted from the list on the date the voter
6 provides a completed application to register to vote in accordance
7 with Section 13.002 or an update in accordance with Section
8 15.021(d) or (e) [~~voter's registration in the precinct of new~~
9 ~~residence becomes effective~~].

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

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

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

20 (a) The [~~Not later than the 30th day after the date a~~
21 ~~confirmation notice is mailed, the~~] voter shall submit to the
22 registrar a written, signed response to the notice that confirms
23 the voter's current residence. The response must contain all of the
24 information that a person must include in an application to
25 register to vote under Section 13.002.

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

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

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

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

12 (1) notice under Section 13.072(b), ~~[or]~~ 15.021, or
13 18.0681(d) or a response under Section 15.053 that the voter's
14 residence is outside the county;

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

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

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

24 (5) notice from a voter registration official in
25 another state that the voter has registered to vote outside this
26 state;

27 (6) notice from the early voting clerk under Section

1 101.053 that a federal postcard application submitted by an
2 applicant states a voting residence address located outside the
3 registrar's county; or

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

9 SECTION 22. Section 16.032, Election Code, is amended to
10 read as follows:

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

18 SECTION 23. Section 16.0921(a), Election Code, is amended
19 to read as follows:

20 (a) Except as provided by Subsection (c), on the filing of a
21 sworn statement under Section 16.092 alleging a ground based on
22 residence, the registrar shall promptly deliver to the voter whose
23 registration is challenged a confirmation notice in accordance with
24 Section 15.051, unless the residential address provided in the
25 challenge for the voter is different from the voter's current
26 residential address indicated on the registration records.

27 SECTION 24. Section 18.002(c), Election Code, is amended to

1 read as follows:

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

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

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

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

14 (a) Each original and supplemental list of registered
15 voters must:

16 (1) contain the voter's name, date of birth, and
17 registration number as provided by the statewide computerized voter
18 registration list;

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

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

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

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

25 (b) The statewide computerized voter registration list
26 must:

27 (1) contain the name and registration information of

1 each voter registered in the state;

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

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

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

12 SECTION 28. Section 18.069, Election Code, is amended to
13 read as follows:

14 Sec. 18.069. VOTING HISTORY. Not later than five days after
15 completion of the local canvass of the primary election, runoff
16 primary, general election for state and county officers or any
17 special election ordered by the governor and for which the county is
18 serving as the early voting clerk [~~the 30th day after the date of~~
19 ~~the primary, runoff primary, or general election or any special~~
20 ~~election ordered by the governor~~], the general custodian of
21 election records [~~registrar~~] shall electronically submit to the
22 secretary of state the record of each voter participating in the
23 election. The record must include a notation of whether the voter
24 voted on election day, voted early by personal appearance, voted
25 early by mail under Chapter 86, or voted early by mail under Chapter
26 101.

27 SECTION 29. Section 18.0681(d), Election Code, is amended

1 to read as follows:

2 (d) If the secretary of state determines that a voter on the
3 registration list has more than one registration record on file
4 based on a strong match, the secretary shall send notice of the
5 determination to the voter registrar of the [each] county with the
6 oldest registration record in which the voter is registered to
7 vote. If the voter records identified are:

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

12 (2) located in more than one county, the registrar of
13 the county with the oldest record may deliver a written
14 confirmation notice in accordance with Section 15.051 or cancel the
15 registration of the voter in accordance with Section 16.031(a)(1),
16 provided that the voter's record in the county with the newest
17 registration record is not on the suspense list.

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

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

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

27 Sec. 31.096. NONTRANSFERABLE FUNCTIONS. An election

1 services contract may not change:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 the presiding judge.

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

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

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

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

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

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

14 (1) a runoff election;

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

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

18 (4) an emergency election ordered under Section
19 41.0011 or any resulting runoff;

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

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

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

27 SECTION 36. Sections 43.007(a) and (m), Election Code, are

1 amended to read as follows:

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

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

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

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

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

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

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

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

27 (m) In adopting a methodology under Subsection (f), the

1 county must ensure that:

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

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

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

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

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

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

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

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

26 (d) The [~~For an election held at county expense or a city~~
27 ~~election, on receipt of a candidate's written request accompanied~~

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

7 (1) written notice:

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

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

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

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

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

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

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

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

1 (2) a notation of the section of this code under which
2 the voter is accepted that provides for accepting voters who are not
3 on the list.

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

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

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

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

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

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

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

27 (e) The voter shall be accepted for provisional voting under

1 Section 63.011 if the election officer cannot determine that the
2 voter is a registered voter of the territory covered by the election
3 in which the voter is offering to vote.

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

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

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

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

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

25 Sec. 82.008. INVOLUNTARY CIVIL COMMITMENT. A qualified
26 voter is eligible for early voting by mail if, at the time the
27 voter's early voting ballot application is submitted, the voter is

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

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

7 An election order and the election notice must state the
8 early voting clerk's official mailing address, street address at
9 which they can receive mail by common or contract carrier, if
10 different, phone number, and an e-mail address that can receive
11 correspondence from the public, and early voting clerk's internet
12 website, if any [~~except for an election in which a county clerk or~~
13 ~~city secretary is the early voting clerk under Section 83.002 or~~
14 ~~83.005~~].

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

- 17 (a) An early voting ballot application must include:
- 18 (1) the applicant's name and the address at which the
19 applicant is registered to vote;
 - 20 (2) for an application for a ballot to be voted by mail
21 on the ground of absence from the county of residence, the address
22 outside the applicant's county of residence to which the ballot is
23 to be mailed;
 - 24 (3) for an application for a ballot to be voted by mail
25 on the ground of age or disability, the address of the hospital,
26 nursing home or other long-term care facility, or retirement
27 center, or of a person related to the applicant within the second

1 degree by affinity or the third degree by consanguinity, as
2 determined under Chapter 573, Government Code, if the applicant is
3 living at that address and that address is different from the
4 address at which the applicant is registered to vote;

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

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

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

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

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

21 (e) The early voting clerk shall designate an e-mail address
22 for receipt of an application under Subsection (b)(4). The
23 secretary of state shall include the e-mail addresses of each
24 county early voting clerk on the secretary of state's 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
13 (a)(7), 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 The election order and the election notice must state the
26 location of the main early voting polling place, and a designation
27 that the location is 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 86.006(a-1), Election Code, is amended
26 to read as follows:

27 (a-1) The voter may deliver a marked ballot in person to the

1 main early voting polling place [~~early voting clerk's office~~] only
2 while the polls are open during the early voting period or on
3 election day. A voter who delivers a marked ballot in person must
4 present an acceptable form of identification described by Section
5 [63.0101](#).

6 SECTION 55. Section [86.009](#)(e), Election Code, is amended by
7 amending Subsection (e) and adding Subsection (f) to read as
8 follows:

9 (e) Except as otherwise provided by this section, a [A]
10 voter's defective ballot that is timely returned to the clerk as a
11 marked ballot shall be treated as:

12 (1) a marked ballot not timely returned if the
13 corrected ballot is timely returned as a marked ballot by the close
14 of the polls on election day; or

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

18 (f) Corrected ballots for voters voting by mail under
19 Chapter [101](#) may be counted if they are returned in accordance with
20 the deadline prescribed by Section [101.057](#).

21 SECTION 56. Section [87.0222](#)(a), Election Code, is amended
22 to read as follows:

23 (a) Notwithstanding Section [87.024](#), in an election
24 conducted by an authority of a county with a population of 100,000
25 or more, or conducted jointly with such a county or conducted with
26 such a county through a contract for election services, the jacket
27 envelopes containing the early voting ballots voted by mail may be

1 delivered to the board between the end of the ninth day before the
2 last day of the period for early voting by personal appearance and
3 the closing of the polls on election day, or as soon after closing
4 as practicable, at the time or times specified by the presiding
5 judge of the board.

6 SECTION 57. Section 87.0241(b), Election Code, is amended
7 to read as follows:

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

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

10 (2) in an election conducted by an authority of a
11 county with a population of 100,000 or more, or conducted jointly
12 with such a county or conducted with such a county through a
13 contract for election services, the end of the period for early
14 voting by personal appearance.

15 SECTION 58. Section 87.102(b), Election Code, is amended to
16 read as follows:

17 (b) Early voting ballots that are to be duplicated under
18 this section [~~shall be delivered to the central counting station as~~
19 ~~prescribed by Section 87.101 and~~] shall be treated in the same
20 manner as damaged electronic system ballots that are duplicated for
21 automatic counting.

22 SECTION 59. Section 101.001, Election Code, is amended to
23 read as follows:

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

26 (1) the person is qualified to vote in this state or,
27 if not registered to vote in this state, would be qualified if

1 registered; and

2 (2) the person is:

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

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

7 (B-1) a member of the Texas National Guard or the
8 National Guard of another state or a member of a reserve component
9 of the armed forces of the United States serving on active duty
10 under an order of the president of the United States or activated on
11 state orders, or the spouse or dependent of a member; or

12 (C) domiciled in this state but temporarily
13 living outside the territorial limits of the United States and the
14 District of Columbia.

15 SECTION 60. Section 101.003(1), Election Code, is amended
16 to read as follows:

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

22 SECTION 61. Section 101.008, Election Code, is amended to
23 read as follows:

24 Sec. 101.008. STATUS OF APPLICATION OR BALLOT VOTED. The
25 secretary of state, in coordination with county [~~local~~] election
26 officials, shall implement an electronic free-access system by
27 which a person eligible for early voting by mail under this chapter

1 or Chapter 114 may determine by telephone, by e-mail, or over the
2 Internet whether:

3 (1) the person's federal postcard application or other
4 registration or ballot application has been received and accepted;
5 and

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

8 SECTION 62. Sections 101.052(a-1) and (c), Election Code,
9 are amended to read as follows:

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

11 (1) mail; ~~or~~

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

14 (3) in-person delivery in accordance with Section
15 84.008; or

16 (4) common or contract carrier.

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

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

21 (2) the application is submitted in the last 60 days of
22 a calendar year but not earlier than the 60th day before the date of
23 the January or February election [~~A federal postcard application~~
24 ~~requesting a ballot for an election to be held in January or~~
25 ~~February may be submitted in the preceding calendar year but not~~
26 ~~earlier than the earliest date for submitting a regular application~~
27 ~~for a ballot to be voted by mail].~~

1 SECTION 63. Section 101.054(c), Election Code, is amended
2 to read as follows:

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

7 SECTION 64. Section 101.056(a), Election Code, is amended
8 to read as follows:

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

17 SECTION 65. Section 101.057(b), Election Code, is amended
18 to read as follows:

19 (b) A ballot voted by a voter described by Section
20 101.001(2)(A), ~~[or]~~ (B), or (B-1) shall be counted if the ballot
21 arrives at the address on the carrier envelope not later than the
22 sixth day after the date of the election, except that if that date
23 falls on a Saturday, Sunday, or legal state or national holiday,
24 then the deadline is extended to the next regular business day.

25 SECTION 66. Section 101.058, Election Code, is amended to
26 read as follows:

27 Sec. 101.058. OFFICIAL CARRIER ENVELOPE. The officially

1 prescribed carrier envelope for voting under this subchapter shall
2 be prepared so that it can be mailed free of United States postage,
3 as 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.)~~], and must contain the label prescribed by
6 Section 101.056(a) for the envelope in which the balloting
7 materials are sent to a voter. The secretary of state shall provide
8 early voting clerks with instructions on compliance with this
9 section.

10 SECTION 67. Section 101.102(b), Election Code, is amended
11 to read as follows:

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

14 (1) the requestor has submitted a valid federal
15 postcard application and:

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

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

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

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

26 (B) stated on a newly submitted federal postcard
27 application;

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

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

6 SECTION 68. Section 101.107(a), Election Code, is amended
7 to read as follows:

8 (a) A voter described by Section 101.001(2)(A) , [~~or~~] (B) , or
9 (B-1) must be voting from outside the voter's county of residence.
10 A voter described by Section 101.001(2)(C) must be voting from
11 outside the United States.

12 SECTION 69. Section 102.002, Election Code, is amended to
13 read as follows:

14 Sec. 102.002. CONTENTS OF APPLICATION. An application for
15 a late ballot must comply with the applicable provisions of Section
16 84.002 and must include or be accompanied by a certificate of a
17 licensed physician or chiropractor or accredited Christian Science
18 practitioner in substantially the following form:

19 "This is to certify that I know that _____ has a sickness
20 or physical condition that will prevent him or her from appearing at
21 the polling place for an election to be held on the _____ day
22 of _____, 20 [~~19~~]____, without a likelihood of needing personal
23 assistance or of injuring his or her health and that the sickness or
24 physical condition originated on or after _____.

25 "Witness my hand at _____, Texas, this _____ day of
26 _____, 20 [~~19~~]____.

27 _____

(signature of physician,
chiropractor, or practitioner)"

SECTION 70. Section 113.003, Election Code, is amended to read as follows:

Sec. 113.003. SUBMITTING APPLICATION FOR MAIL BALLOT. An application for a presidential ballot to be voted by mail must be submitted to the early voting clerk serving the county of the applicant's most recent registration to vote by the deadline prescribed by Section 84.007.

SECTION 71. Section 141.032(g), Election Code, is amended to read as follows:

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

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

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

SECTION 72. Section 141.034(a), Election Code, is amended to read as follows:

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

1 SECTION 73. The heading to Section 141.040, Election Code,
2 is amended to read as follows:

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

4 SECTION 74. Section 141.040, Election Code, is amended by
5 adding Subsection (c) to read as follows:

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

9 SECTION 75. Section 141.063, Election Code, is amended by
10 adding Subsection (e) to read as follows:

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

14 SECTION 76. Chapter 141, Election Code, is amended by
15 adding Subchapter D, and a heading is added to that subchapter to
16 read as follows:

17 SUBCHAPTER D. COERCION OF CANDIDACY

18 SECTION 77. Section 2.054, Election Code, is transferred to
19 Subchapter D, Chapter 141, Election Code, as added by this Act,
20 redesignated as Section 141.101, Election Code, and amended to read
21 as follows:

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

27 (1) not file an application for a place on the ballot

1 or a declaration of write-in candidacy; or

2 (2) withdraw as a candidate.

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

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

8 SECTION 78. Section 143.004, Election Code, is amended to
9 read as follows:

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

13 (b) An application, other than an application required to be
14 accompanied by fee, may be filed through e-mail transmission of the
15 completed application in a scanned format at the email address
16 designated by the filing authority.

17 SECTION 79. Section 144.003(a), Election Code, is amended
18 to read as follows:

19 (a) Except as otherwise provided by law, to be entitled to a
20 place on the ballot, a candidate must make an application for a
21 place on the ballot. An application, other than an application
22 required to be accompanied by fee, may be filed through e-mail
23 transmission of the completed application in a scanned format at
24 the email address designated by the filing authority.

25 SECTION 80. Section 145.003, Election Code, is amended by
26 adding Subsection (j) to read as follows:

27 (j) This section does not apply to a challenge on an

1 application under Section 141.034.

2 SECTION 81. Section 192.033(d), Election Code, is amended
3 to read as follows:

4 (d) In conjunction with the certification required under
5 Subsection (a), the secretary of state shall include appropriate
6 ballot translation language, as applicable, for each language
7 certified statewide or in a specific county by the director of the
8 census under the federal Uniformed and Overseas Citizens Absentee
9 Voting Act (52 U.S.C. Sections 20301 through 20311) [~~42 U.S.C.~~
10 ~~Section 1973aa-1a]~~.

11 SECTION 82. Subchapter B, Chapter 201, Election Code, is
12 amended by adding Section 201.030 to read as follows:

13 Sec. 201.030. VACANCY RESULTING FROM RECALL ELECTION. For
14 cities conducting recall elections, a vacancy in the officer's
15 office occurs on the date of the final canvass of a successful
16 recall election.

17 SECTION 83. Section 203.004(b), Election Code, is amended
18 to read as follows:

19 (b) If the election is to be held as an emergency election,
20 it shall be held on a Tuesday or Saturday occurring on or after the
21 36th day and on or before the 64th [~~50th~~] day after the date the
22 election is ordered.

23 SECTION 84. Section 212.001, Election Code, is amended to
24 read as follows:

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

27 (1) be in writing;

1 (2) identify the office or measure for which a recount
2 is desired;

3 (3) state the grounds for the recount;

4 (4) state the side of the measure that the person
5 requesting the recount represents, if applicable;

6 (5) identify the election precincts, grouped by county
7 or other appropriate territorial unit if the election involves more
8 than one local canvassing authority, for which a recount is desired
9 and must indicate the method of voting used in each precinct;

10 (6) be signed by:

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

13 (B) an agent of the person requesting the
14 recount;

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

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

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

25 (B) there is more than one person requesting the
26 recount;

27 (9) state the mailing address and at least one

1 telephone number, if any, at which the person requesting the
2 recount or an agent, identified by name, may receive notice given
3 under this title;

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

8 (11) be accompanied by a deposit as provided by
9 Subchapter E.

10 SECTION 85. Section 212.002(b), Election Code, is amended
11 to read as follows:

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

15 SECTION 86. Section 212.028(a), Election Code, is amended
16 to read as follows:

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

19 ~~[(1) 5 p.m. of the fifth day after election day, or~~

20 ~~[(2)] 5 p.m. of the second day after the date the~~
21 canvassing authority to whose presiding officer the petition must
22 be submitted completes its canvass of the original election
23 returns.

24 SECTION 87. Section 212.031(a), Election Code, is amended
25 to read as follows:

26 (a) If a recount petition complies with the applicable
27 requirements, the recount coordinator shall approve the petition

1 and note on the petition its approved status and the date of the
2 approval. The recount coordinator shall immediately notify the
3 recount supervisor of the approval. The recount supervisor shall,
4 with the written approval of the recount coordinator, order the
5 recount to be held on the later of [~~a date occurring not later than~~]
6 the seventh day after the date the petition is determined to comply
7 with the applicable requirements or the day after all ballots have
8 been delivered to the general custodian of election records.

9 SECTION 88. Section 212.083, Election Code, is amended to
10 read as follows:

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

14 [~~(1) 2 p.m. of the third day after election day; or~~
15 [~~(2)~~] 2 p.m. of the first day after the date of the
16 local canvass.

17 SECTION 89. Section 212.112, Election Code, is amended to
18 read as follows:

19 Sec. 212.112. AMOUNT OF DEPOSIT. The amount of the recount
20 deposit is:

21 (1) \$60 for each of the entity's election day polling
22 places [~~precinct~~] in which regular paper ballots were used; and

23 (2) \$100 for each of the entity's election day polling
24 places [~~precinct~~] in which an electronic voting system was used.

25 SECTION 90. Section 216.003, Election Code, is amended to
26 read as follows:

27 Sec. 216.003. INITIATING AUTOMATIC RECOUNT. For purposes

1 of initiating an automatic recount, the authority designated under
2 Section 212.026 shall order the recount [~~request the recount in the~~
3 ~~same manner as a recount petitioner under this title~~].

4 SECTION 91. Section 272.009, Election Code, is amended by
5 adding Subsection (c) to read as follows:

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

8 (1) be a qualified voter of the state and satisfy any
9 additional eligibility requirements prescribed by written order of
10 the commissioners court; or

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

13 SECTION 92. Section 277.002, Election Code, is amended by
14 adding Subsection (f) to read as follows:

15 (f) The signer's residence address and registration address
16 are not required to be the same if the signer would otherwise be
17 able to vote in that election under 11.004 or 112.002.

18 SECTION 93. Section 277.0024, Election Code, is amended to
19 read as follows:

20 Sec. 277.0024. COMPUTING NUMBER OF SIGNATURES. (a) Except
21 as provided by Subsection (b), if [~~If~~] the minimum number of
22 signatures required for a petition is determined by a computation
23 applied to the number of registered voters of a particular
24 territory, voters whose names appear on the list of registered
25 voters with the notation "S", or a similar notation, shall be
26 excluded from the computation.

27 (b) The signature of a voter whose name appears on the list

1 of registered voters with the notation "S", or a similar notation,
2 is considered valid if the voter:

3 (1) is otherwise eligible to vote in the territory;

4 and

5 (2) provides a residence address located in the
6 territory.

7 SECTION 94. The following provisions of the Election Code
8 are repealed:

9 (1) Sections 15.082(c) and (d);

10 (2) Subchapter F, Chapter 15;

11 (3) Section 18.0051;

12 (4) Section 18.008(c);

13 (5) Section 31.099(b);

14 (6) Section 42.061(c);

15 (7) Section 84.008(b);

16 (8) Section 87.101; and

17 (9) Section 105.002.

18 SECTION 95. This Act takes effect September 1, 2021.