

1-1 By: Creighton S.B. No. 1509
 1-2 (In the Senate - Filed March 11, 2021; March 24, 2021, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 22, 2021, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 6, Nays 3; April 22, 2021,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13		X		
1-14	X			
1-15		X		
1-16	X			
1-17		X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1509 By: Lucio

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to identification requirements for early voting by mail.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Section 84.001(b), Election Code, is amended to
 1-24 read as follows:
 1-25 (b) An application must be in writing and signed by the
 1-26 applicant using ink on paper. An electronic signature or
 1-27 photocopied signature is not permitted.
 1-28 SECTION 2. Section 84.002, Election Code, is amended by
 1-29 amending Subsection (a) and adding Subsection (c) to read as
 1-30 follows:
 1-31 (a) An early voting ballot application must include:
 1-32 (1) the applicant's name and the address at which the
 1-33 applicant is registered to vote;
 1-34 (1-a) the following information:
 1-35 (A) the number of the applicant's driver's
 1-36 license or personal identification card issued by the Department of
 1-37 Public Safety that has not expired or that expired no earlier than
 1-38 four years before the date of application; or
 1-39 (B) if the applicant has not been issued a number
 1-40 described by Paragraph (A), the last four digits of the applicant's
 1-41 social security number;
 1-42 (2) for an application for a ballot to be voted by mail
 1-43 on the ground of absence from the county of residence, the address
 1-44 outside the applicant's county of residence to which the ballot is
 1-45 to be mailed;
 1-46 (3) for an application for a ballot to be voted by mail
 1-47 on the ground of age or disability, the address of the hospital,
 1-48 nursing home or other long-term care facility, or retirement
 1-49 center, or of a person related to the applicant within the second
 1-50 degree by affinity or the third degree by consanguinity, as
 1-51 determined under Chapter 573, Government Code, if the applicant is
 1-52 living at that address and that address is different from the
 1-53 address at which the applicant is registered to vote;
 1-54 (4) for an application for a ballot to be voted by mail
 1-55 on the ground of confinement in jail, the address of the jail or of a
 1-56 person related to the applicant within the degree described by
 1-57 Subdivision (3);
 1-58 (5) for an application for a ballot to be voted by mail
 1-59 on any ground, an indication of each election for which the
 1-60 applicant is applying for a ballot; and

2-1 (6) an indication of the ground of eligibility for
2-2 early voting.

2-3 (c) A person 70 years of age or older may use the number of a
2-4 driver's license or personal identification card that has expired
2-5 for the purpose of fulfilling the requirement under Subsection
2-6 (a)(1-a) if the license or identification is otherwise valid.

2-7 SECTION 3. Section 84.011(a), Election Code, is amended to
2-8 read as follows:

2-9 (a) The officially prescribed application form for an early
2-10 voting ballot must include:

2-11 (1) immediately preceding the signature space the
2-12 statement: "I certify that the information given in this
2-13 application is true, and I understand that giving false information
2-14 in this application is a crime.";

2-15 (2) a statement informing the applicant of the
2-16 offenses prescribed by Sections 84.003 and 84.004;

2-17 (3) spaces for entering an applicant's voter
2-18 registration number and county election precinct of registration,
2-19 with a statement informing the applicant that failure to furnish
2-20 that information does not invalidate the application;

2-21 (3-a) a space for entering the information required
2-22 under Section 84.002(a)(1-a); and

2-23 (4) on an application for a ballot to be voted by mail:

2-24 (A) a space for an applicant applying on the
2-25 ground of absence from the county of residence to indicate the date
2-26 on or after which the applicant can receive mail at the address
2-27 outside the county;

2-28 (B) a space for indicating the fact that an
2-29 applicant whose application is signed by a witness cannot make the
2-30 applicant's mark and a space for indicating the relationship or
2-31 lack of relationship of the witness to the applicant;

2-32 (C) a space for entering an applicant's telephone
2-33 number, with a statement informing the applicant that failure to
2-34 furnish that information does not invalidate the application;

2-35 (D) a space or box for an applicant applying on
2-36 the ground of age or disability to indicate that the address to
2-37 which the ballot is to be mailed is the address of a facility or
2-38 relative described by Section 84.002(a)(3), if applicable;

2-39 (E) a space or box for an applicant applying on
2-40 the ground of confinement in jail to indicate that the address to
2-41 which the ballot is to be mailed is the address of a relative
2-42 described by Section 84.002(a)(4), if applicable;

2-43 (F) a space for an applicant applying on the
2-44 ground of age or disability to indicate if the application is an
2-45 application under Section 86.0015;

2-46 (G) spaces for entering the signature, printed
2-47 name, and residence address of any person assisting the applicant;

2-48 (H) a statement informing the applicant of the
2-49 condition prescribed by Section 81.005; and

2-50 (I) a statement informing the applicant of the
2-51 requirement prescribed by Section 86.003(c).

2-52 SECTION 4. Section 86.001, Election Code, is amended by
2-53 adding Subsection (f) to read as follows:

2-54 (f) If the information required under Section
2-55 84.002(a)(1-a) included on the application does not match the
2-56 information on the applicant's application for voter registration
2-57 under Section 13.002(c)(8), the clerk shall reject the application.

2-58 SECTION 5. Section 86.002, Election Code, is amended by
2-59 adding Subsections (g), (h), and (i) to read as follows:

2-60 (g) The carrier envelope must include a space that is hidden
2-61 from view when the envelope is sealed for the voter to enter the
2-62 following information:

2-63 (1) the number of the voter's driver's license or
2-64 personal identification card issued by the Department of Public
2-65 Safety that has not expired or that expired no earlier than four
2-66 years before the date of presentation; or

2-67 (2) if the voter has not been issued a number described
2-68 by Subdivision (1), the last four digits of the voter's social
2-69 security number.

3-1 (h) A person 70 years of age or older may use the number of a
3-2 driver's license or personal identification card that has expired
3-3 for purposes of Subsection (g) if the license or identification is
3-4 otherwise valid.

3-5 (i) No record associating an individual voter with a ballot
3-6 may be created.

3-7 SECTION 6. Section 87.041(b), Election Code, is amended to
3-8 read as follows:

3-9 (b) A ballot may be accepted only if:

3-10 (1) the carrier envelope certificate is properly
3-11 executed;

3-12 (2) neither the voter's signature on the ballot
3-13 application nor the signature on the carrier envelope certificate
3-14 is determined to have been executed by a person other than the
3-15 voter, unless signed by a witness;

3-16 (3) the voter's ballot application states a legal
3-17 ground for early voting by mail;

3-18 (4) the voter is registered to vote, if registration
3-19 is required by law;

3-20 (5) the address to which the ballot was mailed to the
3-21 voter, as indicated by the application, was outside the voter's
3-22 county of residence, if the ground for early voting is absence from
3-23 the county of residence;

3-24 (6) for a voter to whom a statement of residence form
3-25 was required to be sent under Section 86.002(a), the statement of
3-26 residence is returned in the carrier envelope and indicates that
3-27 the voter satisfies the residence requirements prescribed by
3-28 Section 63.0011; ~~and~~

3-29 (7) the address to which the ballot was mailed to the
3-30 voter is an address that is otherwise required by Sections 84.002
3-31 and 86.003; and

3-32 (8) the information required under Section 86.002(g)
3-33 provided by the voter matches the information on the voter's
3-34 application for voter registration under Section 13.002(c)(8).

3-35 SECTION 7. The changes in law made by this Act apply only to
3-36 an application to vote an early voting ballot by mail submitted on
3-37 or after the effective date of this Act. An application to vote an
3-38 early voting ballot by mail submitted before the effective date of
3-39 this Act is governed by the law in effect when the application was
3-40 submitted, and the former law is continued in effect for that
3-41 purpose.

3-42 SECTION 8. This Act takes effect September 1, 2021.

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