

By: Cole

H.B. No. 1271

A BILL TO BE ENTITLED

AN ACT

relating to the method of returning a ballot to be voted by mail.

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

SECTION 1. Section 4.003, Election Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) In addition to any other notice given for an election under Subsection (a), not later than the 21st day before election day, a county shall post a copy of a notice of the election given by the county or provided to the county under Section 4.008(a) [~~which must include the location of each polling place,~~] on the county's Internet website, if the county maintains a website. An authority responsible for giving notice of an election may post a copy of the notice on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision that the authority serves. If a county does not maintain a website, the authority responsible for giving notice of the election shall post a copy of a notice of the election on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision that the authority serves. For each precinct that is combined to form a consolidated precinct under Section 42.008, not later than the 10th day before election day, the authority shall also post, at the polling place used in the preceding general election, notice of the precinct's consolidation

1 and the location of the polling place in the consolidated precinct.
2 A notice posted under this subsection must remain posted
3 continuously through election day.

4 (b-1) The notice given under Subsection (b) must include:

5 (1) the location of each polling place that will be
6 open on election day;

7 (2) the location of each polling place that will be
8 open for early voting; and

9 (3) each location that will be available to voters to
10 deliver a marked ballot under Section 86.006(a-3).

11 SECTION 2. Section 86.006, Election Code, is amended by
12 amending Subsections (a) and (a-1) and adding Subsections (a-3) and
13 (a-4) to read as follows:

14 (a) A marked ballot voted under this chapter must be
15 returned to the early voting clerk in the official carrier
16 envelope. The carrier envelope may be delivered in another envelope
17 and must be transported and delivered only by:

18 (1) mail;

19 (2) common or contract carrier; or

20 (3) subject to Subsection [~~Subsections~~] (a-1) [~~and~~
21 ~~(a-2)~~], in-person delivery by the voter who voted the ballot.

22 (a-1) The voter may deliver a marked ballot in person to the
23 early voting clerk's office or to another designated location
24 ~~[only]~~ while the polls are open on election day or during the early
25 voting period. A voter who delivers a marked ballot in person may
26 return only the voter's own ballot and must present an acceptable
27 form of identification described by Section 63.0101.

1 (a-3) The county clerk may designate any of the following
2 locations for delivering marked ballots under Subsection (a-1):

3 (1) the early voting clerk's office;

4 (2) any polling place open for early voting or for
5 election day; or

6 (3) any suitable location that meets criteria
7 prescribed by the secretary of state.

8 (a-4) To ensure that locations designated for delivering
9 marked ballots are accessible and secure, the secretary of state
10 shall adopt rules establishing criteria for a location that a
11 county clerk may designate under Subsection (a-3).

12 SECTION 3. Section 86.006(a-2), Election Code, is repealed.

13 SECTION 4. This Act takes effect September 1, 2023.