

By: Zwiener

H.B. No. 1235

A BILL TO BE ENTITLED

1 AN ACT

2 Relating to the ability of a voter registrar and volunteer deputy  
3 registrar to distribute and receive applications for a ballot to be  
4 voted by mail.

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

6 SECTION 1. Chapter 12, Election Code, is amended by adding  
7 Subchapter C to read as follows:

8 SUBCHAPTER C. APPLICATION FORMS FOR A BALLOT TO BE VOTED BY MAIL

9 Sec. 12.035. APPLICATION FORMS FURNISHED BY VOTER  
10 REGISTRAR. (a) A voter registrar shall maintain a supply of  
11 official application forms for a ballot to be voted by mail and  
12 furnish the forms to voters in person.

13 (b) A voter may submit an application for a ballot to be  
14 voted by mail by delivering the application to a voter registrar.

15 (c) A volunteer deputy registrar shall submit to the voter  
16 registrar an application for a ballot to be voted by mail as  
17 provided by Subchapter C, Chapter 84.

18 Sec. 12.036. DELIVERY OF APPLICATION TO EARLY VOTING CLERK.

19 (a) If a voter to register is not also the early voting clerk, the  
20 voter registrar shall deliver in person, to the early voting clerk  
21 each completed application for a ballot to be voted by mail  
22 submitted to the voter registrar, as provided by this subchapter.  
23 The secretary of state shall prescribe any procedures necessary to  
24 ensure the proper and timely delivery of completed applications

1 that are not delivered in person by the volunteer deputy who  
2 receives them.

3 (b) An application shall be delivered to the early voting  
4 clerk not later than the deadline provided by Section 84.007(c),  
5 but not before an action on application to register has been made as  
6 provided by Section 13.072, if such an application to register  
7 accompanies an application form for a ballot to be voted by mail.

8 SECTION 2. Section 13.038, Election Code, is amended to  
9 read as follows:

10 Sec. 13.038. POWERS GENERALLY. (a) A volunteer deputy  
11 registrar may distribute voter registration application forms  
12 throughout the county and receive registration applications  
13 submitted to the deputy in person.

14 (b) A volunteer deputy registrar may distribute application  
15 forms for a ballot to be voted by mail throughout the county and  
16 receive applications for a ballot to be voted by mail submitted to  
17 the deputy in person as provided by Subchapter C, Chapter 84.

18 SECTION 3. Section 84.007(b), Election Code, is amended to  
19 read as follows:

20 (b) An application must be submitted to the early voting  
21 clerk by:

22 (1) mail;

23 (2) common or contract carrier;

24 (2-a) the voter registrar, if other than the early  
25 voting clerk;

26 (3) subject to Subsection (b-1), telephonic facsimile  
27 machine, if a machine is available in the clerk's office; or

1           (4) subject to Subsection (b-1), electronic  
2 transmission of a scanned application containing an original  
3 signature.

4           SECTION 4. Chapter 84, Election Code, is amended by adding  
5 Subchapter C to read as follows:

6                   SUBCHAPTER C. VOLUNTEER DEPUTY REGISTRARS

7           Sec. 84.051. APPLICATION FORMS FURNISHED BY VOLUNTEER

8 DEPUTY REGISTRAR. (a) A volunteer deputy registrar may maintain a  
9 supply of official application forms for a ballot to be voted by  
10 mail and shall furnish the forms to voters throughout the county in  
11 a manner consistent with law.

12           (b) A voter may submit an application for a ballot to be  
13 voted by mail by delivering the application to a volunteer deputy  
14 registrar.

15           (c) To the extent practicable, the procedure under this  
16 section for distributing applications for a ballot to be vote by  
17 mail and delivering applications shall be the same as the procedure  
18 for delivering a registration application under Subchapter B,  
19 Chapter 13.

20           Sec. 84.052. DELIVERY OF APPLICATION TO VOTER REGISTRAR.

21 (a) A volunteer deputy registrar shall deliver in person, or by  
22 personal delivery through another designated volunteer deputy, to  
23 the voter registrar each completed application for a ballot to be  
24 voted by mail submitted to the deputy, as provided by this section.  
25 The secretary of state shall prescribe any procedures necessary to  
26 ensure the proper and timely delivery of completed applications  
27 that are not delivered in person by the volunteer deputy who

1 receives them.

2 (b) Except as provided by Subsection (c), an application  
3 shall be delivered to the voter registrar not later than 5 p.m. of  
4 the fifth day after the date the application is submitted to the  
5 volunteer deputy registrar.

6 (c) An application submitted after the 15th day before the  
7 date of an election and on or before the last day for a person to  
8 timely submit an application for a ballot to be voted by mail for  
9 that election as provided by Section 84.007 shall be delivered to  
10 the voter registrar not later than 5 p.m. of the next regular  
11 business day after the date to timely submit an application for a  
12 ballot to be voted by mail for that election as provided by Section  
13 13.143.

14 Sec. 84.053. FAILURE TO DELIVER APPLICATION. (a) A  
15 volunteer deputy registrar commits an offense if the deputy fails  
16 to comply with Section 84.052.

17 (b) Except as provided by Subsection (c), an offense under  
18 this section is a Class C misdemeanor.

19 (c) An offense under this section is a Class A misdemeanor  
20 if the deputy's failure to comply is intentional.

21 SECTION 5. This Act takes effect September 1, 2025.