

By: Schatzline

H.B. No. 4964

A BILL TO BE ENTITLED

AN ACT

relating to eligibility requirements for early voting by mail.

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

SECTION 1. Section 13.002(e), Election Code, is amended to read as follows:

(e) A person who is certified for participation in the address confidentiality program administered by the attorney general under Subchapter B, Chapter 58, Code of Criminal Procedure, is not eligible for early voting by mail [~~under Section 82.007~~] unless the person submits an application under this section by personal delivery. The secretary of state may adopt rules to implement this subsection.

SECTION 2. Section 84.002(a), Election Code, is amended to read as follows:

(a) An early voting ballot application must include:

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

(1-a) the following information:

(A) the number of the applicant's driver's license, election identification certificate, or personal identification card issued by the Department of Public Safety;

(B) if the applicant has not been issued a number described by Paragraph (A), the last four digits of the applicant's social security number; or

(C) a statement by the applicant that the applicant has not been issued a number described by Paragraph (A) or (B);

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

~~[(3)]~~ for an application for a ballot to be voted by mail on the ground of age ~~[or disability]~~, the address of the hospital, nursing home or other long-term care facility, or retirement center, or of a person related to the applicant within the second degree by affinity or the third degree by consanguinity, as determined under Chapter 573, Government Code, if the applicant is living at that address and that address is different from the address at which the applicant is registered to vote;

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

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

(4) ~~[(6)]~~ an indication of the ground of eligibility for early voting~~[, and~~

~~[(7) for an application for a ballot to be voted by mail on the ground of involuntary civil commitment, the address of the facility operated by or under contract with the Texas Civil~~

~~Commitment Office or of a person related to the applicant within the degree of consanguinity described by Subdivision (3)].~~

SECTION 3. Section 84.0021(a), Election Code, is amended to read as follows:

(a) An early voting ballot application submitted by a qualified voter certified for participation in the address confidentiality program administered by the attorney general under Subchapter B, Chapter 58, Code of Criminal Procedure, who is eligible for early voting by mail ~~[under Section 82.007]~~ must include:

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

(2) the substitute post office box address designated by the attorney general under Article 58.052(b), Code of Criminal Procedure, for use by the voter in place of the voter's true residential, business, or school address; and

(3) an indication of each election for which the applicant is applying for a ballot.

SECTION 4. Sections 84.011(a) and (c), Election Code, are amended to read as follows:

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

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

(2) a statement informing the applicant of the

1 offenses prescribed by Sections 84.003 and 84.004;

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

6 (3-a) a space for entering the information required
7 under Section 84.002(a)(1-a); and

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

9 (A) ~~[a space for an applicant applying on the~~
10 ~~ground of absence from the county of residence to indicate the date~~
11 ~~on or after which the applicant can receive mail at the address~~
12 ~~outside the county;~~

13 ~~[(B)]~~ a space for indicating the fact that an
14 applicant whose application is signed by a witness cannot make the
15 applicant's mark and a space for indicating the relationship or
16 lack of relationship of the witness to the applicant;

17 (B) ~~[(C)]~~ a space for entering an applicant's
18 telephone number, with:

19 (i) a statement informing the applicant
20 that failure to furnish that information does not invalidate the
21 application; and

22 (ii) a statement prescribed by the
23 secretary of state explaining the benefits of furnishing that
24 information, including how that information assists the early
25 voting clerk;

26 (C) ~~[(D)]~~ a space or box for an applicant
27 applying on the ground of age ~~[or disability]~~ to indicate that the

1 address to which the ballot is to be mailed is the address of a
2 facility or relative described by Section 84.002(a)(3), if
3 applicable;

4 (D) [~~(E)~~] a space or box for an applicant applying
5 ~~on the ground of confinement in jail or involuntary civil~~
6 ~~commitment to indicate that the address to which the ballot is to be~~
7 ~~mailed is the address of a relative described by Section~~
8 ~~84.002(a)(4) or (7), if applicable;~~

9 [~~(F)~~] a space for an applicant applying on the
10 ground of age [~~or disability~~] to indicate if the application is an
11 application under Section 86.0015;

12 (E) [~~(G)~~] spaces for entering the signature,
13 printed name, and residence address of any person assisting the
14 applicant;

15 (F) [~~(H)~~] a statement informing the applicant of
16 the condition prescribed by Section 81.005; and

17 (G) [~~(I)~~] a statement informing the applicant of
18 the requirement prescribed by Section 86.003(c).

19 (c) The secretary of state shall make the statement
20 prescribed by Subsection (a)(4)(B)(ii) [~~(a)(4)(C)(ii)~~] available
21 on the secretary's Internet website.

22 SECTION 5. Section 86.003(c), Election Code, is amended to
23 read as follows:

24 (c) The address to which the balloting materials must be
25 addressed is the address at which the voter is registered to vote,
26 or the registered mailing address if different, unless the ground
27 for voting by mail is[+]

1 ~~[(1) absence from the county of residence, in which~~
2 ~~case the address must be an address outside the voter's county of~~
3 ~~residence,~~

4 ~~[(2) confinement in jail, in which case the address~~
5 ~~must be the address of the jail or of a relative described by~~
6 ~~Section 84.002(a)(4),~~

7 ~~[(3)]~~ age ~~[or disability]~~ and the voter is living at a
8 hospital, nursing home or other long-term care facility, or
9 retirement center, or with a relative described by Section
10 84.002(a)(3), in which case the address must be the address of that
11 facility or relative~~[, or~~

12 ~~[(4) involuntary civil commitment, in which case the~~
13 ~~address must be the address of the facility or of a relative~~
14 ~~described by Section 84.002(a)(7)].~~

15 SECTION 6. Section 102.001(a), Election Code, is amended to
16 read as follows:

17 (a) A qualified voter is eligible to vote a late ballot as
18 provided by this chapter if the voter has a sickness or physical
19 condition that prevents the voter from appearing at the polling
20 place on election day ~~[described by Section 82.002]~~ that originates
21 on or after the ~~[day before the]~~ last day for early voting by
22 personal appearance ~~[submitting an application for a ballot to be~~
23 ~~voted by mail]~~.

24 SECTION 7. (a) Sections 82.001, 82.002, 82.004, 82.007, and
25 82.008, Election Code, are repealed.

26 (b) Sections 84.002(b) and (c), Election Code, are
27 repealed.

1 SECTION 8. The changes in law made by this Act apply only to
2 an application to vote an early voting ballot by mail submitted for
3 an election ordered on or after the effective date of this Act. An
4 application to vote an early voting ballot by mail submitted for an
5 election ordered before the effective date of this Act is governed
6 by the law in effect when the application was submitted, and the
7 former law is continued in effect for that purpose.

8 SECTION 9. This Act takes effect September 1, 2025.