

1-1 By: Denny, Madden, Howard (Senate Sponsor - Nelson) H.B. No. 1
1-2 (In the Senate - Received from the House September 17, 2003;
1-3 September 17, 2003, read first time and referred to Committee on
1-4 Jurisprudence; September 22, 2003, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 4,
1-6 Nays 3; September 22, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1 By: Averitt

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the dates of certain elections, the procedures for
1-11 canvassing the ballots for an election, and the counting of certain
1-12 ballots voted by mail.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 41.001(a), Election Code, as amended by
1-15 Section 14, Chapter 1315, Acts of the 78th Legislature, Regular
1-16 Session, 2003, is amended to read as follows:

1-17 (a) Except as otherwise provided by this subchapter, each
1-18 general or special election in this state shall be held on one of
1-19 the following dates:

- 1-20 (1) the first Saturday in February;
1-21 (2) the first ~~[third]~~ Saturday in May;
1-22 (3) the second Saturday in September; or
1-23 (4) the first Tuesday after the first Monday in
1-24 November.

1-25 SECTION 2. Section 41.007(b), Election Code, as amended by
1-26 Section 1, Chapter 292, and Section 16, Chapter 1315, Acts of the
1-27 78th Legislature, Regular Session, 2003, is reenacted and amended
1-28 to read as follows:

1-29 (b) The runoff primary election date is the second ~~[third]~~
1-30 Tuesday in April following the general primary election.

1-31 SECTION 3. Section 67.003, Election Code, as amended by
1-32 Section 42, Chapter 1315, and Section 17, Chapter 1316, Acts of the
1-33 78th Legislature, Regular Session, 2003, is reenacted and amended
1-34 to read as follows:

1-35 Sec. 67.003. TIME FOR LOCAL CANVASS. Each local canvassing
1-36 authority shall convene to conduct the local canvass at the time set
1-37 by the canvassing authority's presiding officer[+]

1-38 ~~[(1) on the seventh day after election day for:~~
1-39 ~~[(A) the general election for state and county~~
1-40 ~~officers; or~~

1-41 ~~[(B) an election of a political subdivision that~~
1-42 ~~is held jointly with an election of:~~

1-43 ~~[(i) a county; or~~

1-44 ~~[(ii) one or more other political~~
1-45 ~~subdivisions under an election services contract with the county~~
1-46 ~~election officer; or~~

1-47 ~~[(2)]~~ not earlier than the eighth ~~[third]~~ day or later
1-48 than the 11th ~~[sixth]~~ day after election day ~~[for an election other~~
1-49 ~~than an election described by Subdivision (1)].~~

1-50 SECTION 4. Section 86.007(d), Election Code, as amended by
1-51 Section 24, Chapter 1316, Acts of the 78th Legislature, Regular
1-52 Session, 2003, is amended to read as follows:

1-53 (d) A marked ballot voted by mail that arrives after the
1-54 time prescribed by Subsection (a) shall be counted if:

1-55 (1) the ballot was cast from an address outside the
1-56 United States;

1-57 (2) the carrier envelope was placed for delivery
1-58 before the time the ballot is required to arrive under Subsection
1-59 (a); and

1-60 (3) the ballot arrives at the address on the carrier
1-61 envelope not later than[+]

1-62 ~~[(A)]~~ the fifth day after the date of the
1-63 election[+]

