

By: Jones of Dallas

H.B. No. 490

Substitute the following for H.B. No. 490:

By: Uresti

C.S.H.B. No. 490

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the use of a receipt issued by certain voter  
3 registration entities to a person on completing an application for  
4 voter registration.

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

6 SECTION 1. Section 13.040(b), Election Code, is amended to  
7 read as follows:

8 (b) The secretary of state shall prescribe the form of the  
9 receipt, which [~~receipt~~] must contain:

10 (1) the name of the applicant and, if applicable, the  
11 name of the applicant's agent; [~~and~~]

12 (2) the address of the applicant, including the city  
13 and postal zip code;

14 (3) the date the completed application is submitted to  
15 the volunteer deputy; and

16 (4) the following statement: "This is an official  
17 receipt of an application to register to vote. This receipt may be  
18 submitted by a voter in place of a voter registration certificate in  
19 an election that occurs at least 30 days after the date the  
20 application to register is completed."[~~-~~]

21 SECTION 2. Section 63.009, Election Code, is amended by  
22 adding Subsections (c), (d), and (e) to read as follows:

23 (c) A voter who, when offering to vote, presents a receipt  
24 of an application to register to vote issued under Section 13.040

1 shall be accepted for provisional voting. The election officer  
2 shall attach the receipt to the executed affidavit and maintain the  
3 provisional ballot in a separate envelope for delivery to the early  
4 voting ballot board.

5 (d) The early voting ballot board shall accept a provisional  
6 ballot of a voter who presents a receipt under Subsection (c) if:

7 (1) the application was made on or after the 90th day  
8 and before the 29th day preceding the date of the election; and

9 (2) the address indicated on the receipt indicates  
10 that the voter is a resident of the precinct in which the voter is  
11 offering to vote or is otherwise entitled by law to vote in that  
12 precinct.

13 (e) The procedures prescribed by Subsections (c) and (d)  
14 apply to an election only if:

15 (1) any portion of the election is held in a county  
16 with a population of 2.1 million or more; or

17 (2) the authority holding the election chooses to use  
18 the procedures in the election.

19 SECTION 3. (a) Except as provided by Subsection (b) of this  
20 section, this Act takes effect September 1, 2003.

21 (b) Section 2 of this Act takes effect January 1, 2004, but  
22 only if the changes in election laws to implement the federal Help  
23 America Vote Act of 2002 proposed by H.B. No. 1549, 78th  
24 Legislature, Regular Session, 2003, become law. Not later than  
25 January 1, 2004, the secretary of state shall certify whether the  
26 changes in election laws described by this subsection have become  
27 law and publish the certification in the Texas Register.