

BILL ANALYSIS

Senate Research Center
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H.B. 1414
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State Affairs
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law, voters who are mailing their ballots from outside of the United States are given five extra days for the ballots to arrive. This provision was put into law because international mail often experiences delays, and because ballots being sent from overseas military voters often originate from remote locations. As written, the provision allowing five extra days does not provide for an extended period when the fifth day falls on a weekend or holiday. The same is true of the provision requiring the early voting ballot board to convene on the sixth day after election day to process mail ballots. In 2004, the deadline for overseas ballots to arrive fell on a Sunday. Because post offices are closed on Sundays, those ballots that arrived late Saturday or on Sunday were not counted. H.B. 1414 provides if the deadline for ballot arrival falls on a weekend or holiday, the deadline is extended to the next business day.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 86.007(d), Election Code, to require a marked ballot voted by mail that arrives after the time prescribed by Subsection (a) to be counted if the ballot arrives at the address on the carrier envelope not later than the fifth day after the date of the election, except that if that date falls on a Saturday, Sunday, or legal state or national holiday, then the deadline is extended to the next regular business day.

SECTION 2. Amends Section 87.125, Election Code, by adding Subsection (c), to require the early voting ballot board, if the date prescribed by Subsection (a) for convening the early voting ballot board is a Saturday, Sunday, or legal state or national holiday, the early voting ballot board to convene on the next regular business day.

SECTION 3. Effective date: September 1, 2005.