

BILL ANALYSIS

C.S.H.B. 1414
By: Rodriguez
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

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 are often originating 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. CSHB 1414 provides if the deadline for ballot arrival falls on a weekend or holiday, that it is extended to the next business day, when the ballot board will convene.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

CSHB 1414 amends the Election Code by providing an exception to the requirement that ballots cast outside of the United States arrive not later than the fifth day after election day. The bill provides if the fifth day after election day falls on a Saturday, Sunday, or legal state or national holiday, that the deadline is extended to the next regular business day. The bill also requires, if the date for convening the early voting ballot board is a Saturday, Sunday, or a legal state or national holiday, that the early voting ballot board convenes on the next regular business day.

EFFECTIVE DATE

September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original by adding the provision extending the deadline for overseas mail ballots to arrive if the deadline falls on a weekend or holiday.