BILL ANALYSIS

BACKGROUND AND PURPOSE

Current law provides for the process by which ballots voted early by mail are verified and counted. As written however, these provisions do not take into account some of the difficulties larger counties encounter because of the high volume of mail ballots that must be processed. For instance, in Dallas County during the November 2004 general election, more than 27,000 mail ballots needed to be opened and processed between 7 p.m. Friday, October 31, and the end of election day, Tuesday, November 2. More time is needed to open these ballots prior to election day. Likewise, because of its large size, Dallas County uses a 28 member signature verification committee. The signature verification committee is responsible for comparing the voter's signature on the ballot carrier envelope with the voter's signature on the application for that ballot; a majority of the committee is required to decide that two signatures do not match. Senate Bill 895 attempts to give larger counties greater flexibility by modifying the procedures for processing ballots voted early by mail.

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

Senate Bill 895 modifies the Election Code by providing an exception to the general rule regarding the time materials are delivered to the early voting ballot board. The bill authorizes, in an election conducted by an authority of, or jointly with, a county with a population of 100,000 or more, the jacket envelopes containing the ballots voted early by mail to be delivered to the board between the end of the ninth day before election day and the closing of the polls on election day, or as soon after closing as practicable, as specified by the presiding judge of the board. The bill requires the early voting clerk to post notice of each such delivery made before polls open on election day and to continually post this notice at the main early voting polling place for at least 24 hours immediately preceding delivery. The bill also requires the early voting clerk to notify the county chair of each party having a nominee on the ballot of the time the delivery is to be made, at least 24 hours in advance.

The bill authorizes the early voting clerk to designate two or more subcommittees of not less than six members, if more than 12 members are appointed to serve on the signature verification committee (committee). The bill provides an exception to the requirement that a majority of the committee's membership make the determination that the signatures on a carrier envelope and on the voter's mail ballot application do not match. The bill authorizes such a determination to be made by a majority of the subcommittee, if the early voting clerk has designated signature verification subcommittees.

EFFECTIVE DATE

September 1, 2005