

By: Carona

S.B. No. 895

A BILL TO BE ENTITLED

AN ACT

relating to the processing of certain election ballots voted early.

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

SECTION 1. Section 87.0241(b), Election Code, is amended to read as follows:

(b) The board may not count early voting ballots until:

(1) the polls open on election day; or

(2) in an election conducted by an authority of a county with a population of 100,000 or more or conducted jointly with such a county, the ninth day before election day [~~end of the period for early voting by personal appearance~~].

SECTION 2. Section 87.027, Election Code, is amended by amending Subsection (i) and adding Subsection (l) to read as follows:

(i) The signature verification committee shall compare the signature on each carrier envelope certificate, except those signed for a voter by a witness, with the signature on the voter's ballot application to determine whether the signatures are those of the same person. The committee may also compare the signatures with the signature on the voter's registration application to confirm that the signatures are those of the same person but may not use the registration application signature to determine that the signatures are not those of the same person. Except as provided by Subsection (l), a [A] determination under this subsection that the

1 signatures are not those of the same person must be made by a
2 majority vote of the committee's membership. The committee shall
3 place the jacket envelopes, carrier envelopes, and applications of
4 voters whose signatures are not those of the same person in separate
5 containers from those of voters whose signatures are those of the
6 same person. The committee chair shall deliver the sorted materials
7 to the early voting ballot board at the time specified by the
8 board's presiding judge [~~but within the period permitted for the~~
9 ~~early voting clerk's delivery of early voting ballots to the~~
10 ~~board~~].

11 (1) If more than 12 members are appointed to serve on the
12 committee, the early voting clerk may designate two or more
13 subcommittees of not less than six members. If subcommittees have
14 been designated, a determination under Subsection (i) is made by a
15 majority of the subcommittee.

16 SECTION 3. The change in law made by this Act applies only
17 to an election ordered on or after the effective date of this Act.

18 SECTION 4. This Act takes effect September 1, 2005.