

By: Davis of Harris, Dunnam

H.B. No. 928

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the deadline for submitting a federal postcard
3 application to the early voting clerk.

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

5 SECTION 1. Sections 101.004(e), (f), and (i), Election
6 Code, are amended to read as follows:

7 (e) An applicant who otherwise complies with applicable
8 requirements is entitled to receive a full ballot to be voted by
9 mail under this chapter if:

10 (1) the applicant submits a federal postcard
11 application to the early voting clerk on or before the 20th [~~30th~~]
12 day before election day; and

13 (2) the application contains the information that is
14 required for registration under Title 2.

15 (f) The applicant is entitled to receive only a federal
16 ballot to be voted by mail under Chapter 114 if:

17 (1) the applicant submits the federal postcard
18 application to the early voting clerk after the date provided by
19 Subsection (e)(1) [~~30th day before election day~~] and before the
20 sixth day before election day; and

21 (2) the application contains the information that is
22 required for registration under Title 2.

23 (i) Except as provided by Subsection (1), for purposes of
24 determining the date a federal postcard application is submitted to

1 the early voting clerk, an application is considered to be
2 submitted on the date it is placed and properly addressed in the
3 United States mail. An application mailed from an Army/Air Force
4 Post Office (APO) or Fleet Post Office (FPO) is considered placed in
5 the United States mail. The date indicated by the post office
6 cancellation mark, including a United States military post office
7 cancellation mark, is considered to be the date the application was
8 placed in the mail unless proven otherwise. For purposes of an
9 application made under Subsection (e):

10 (1) an application that does not contain a
11 cancellation mark is considered to be timely if it is received by
12 the early voting clerk on or before the 15th [~~22nd~~] day before
13 election day; and

14 (2) if the 20th [~~30th~~] day before the date of an
15 election is a Saturday, Sunday, or legal state or national holiday,
16 an application is considered to be timely if it is submitted to the
17 early voting clerk on or before the next regular business day.

18 SECTION 2. The changes in law made by this Act apply only to
19 an election held on or after January 1, 2008.

20 SECTION 3. This Act takes effect September 1, 2007.