

By: Janek

S.B. No. 361

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), (i), and (l), 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:

12 (A) the 30th day before election day; or

13 (B) for an applicant described by Section
14 101.001(2)(A) or (B), the 20th day before election day; and

15 (2) the application contains the information that is
16 required for registration under Title 2.

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

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

23 (2) the application contains the information that is
24 required for registration under Title 2.

1 (i) Except as provided by Subsection (1), for purposes of
2 determining the date a federal postcard application is submitted to
3 the early voting clerk, an application is considered to be
4 submitted on the date it is placed and properly addressed in the
5 United States mail. The date indicated by the post office
6 cancellation mark is considered to be the date the application was
7 placed in the mail unless proven otherwise. For purposes of [~~an~~
8 ~~application made under~~] Subsection (e)(1)(A) [~~(e)~~]:

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

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

17 (1) For purposes of determining the end of the period that
18 an application may be submitted under Subsection (e)(1)(B) or
19 (f)(1), an application is considered to be submitted at the time it
20 is received by the early voting clerk.

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

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