By: Heflin   H.B. No. 2997

A BILL TO BE ENTITLED

1   AN ACT

2 relating to the requirements for accepting a provisional ballot.

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

4   SECTION 1. Section 63.011(d), Election Code, is amended to

5 read as follows:

6   (d) An election officer shall:

7   (1) enter "provisional vote" on the poll list beside

8 the name of each voter who is accepted for voting under this

9 section; and

10   (2) inform the voter of the requirements of Section

11 65.0541.

12   SECTION 2. Section 65.054(b), Election Code, is amended to

13 read as follows:

14   (b) A provisional ballot may be accepted only if:

15   (1) the board determines that, from the information in

16 the affidavit or contained in public records, the person is

17 eligible to vote in the election and has not previously voted in

18 that election; and

19   (2) the voter meets the identification requirements of

20 Chapter 63 in the period prescribed under Section 65.0541.

21   SECTION 3. Subchapter B, Chapter 65, Election Code, is

22 amended by adding Section 65.0541 to read as follows:

23   Sec. 65.0541. PRESENTATION OF IDENTIFICATION FOR CERTAIN

24 PROVISIONAL BALLOTS. (a) A voter who is accepted for provisional

1 voting under Section 63.011 because the voter does not meet the

2 identification requirements of Chapter 63 may, not later than the

3 10th business day after the date of the election, present proof of

4 identification to the voter registrar for examination by the early

5 voting ballot board.

6   (b) Any interested person may present the proof of

7 identification in the manner described by Subsection (a) on behalf

8 of a voter who is accepted for provisional voting under Section

9 63.011.

10   (c) The secretary of state shall prescribe procedures as

11 necessary to implement this section.

12   SECTION 4. This Act takes effect September 1, 2009.