

By: Anchia

H.B. No. 3444

A BILL TO BE ENTITLED

AN ACT

relating to the registration of individuals who assist in certain early voting procedures; providing a criminal penalty.

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

SECTION 1. Sections 86.010(a) and (e), Election Code, are amended to read as follows:

(a) A voter casting a ballot by mail who would be eligible under Section 64.031 to receive assistance at a polling place may select a person as provided by Section 64.032(c) or a person who is registered under Section 86.015 to assist the voter in preparing the ballot.

(e) A person who assists a voter to prepare a ballot to be voted by mail shall enter the person's signature, printed name, telephone number, and residence address on the official carrier envelope of the voter.

SECTION 2. Chapter 86, Election Code, is amended by adding Section 86.015 to read as follows:

Sec. 86.015. EARLY VOTING ASSISTANT REGISTRATION. (a) A person who assists more than five voters in an election with the preparation of their ballots under this chapter must register as an early voting assistant.

(b) The secretary of state shall prescribe an early voting assistant registration form. The form must include:

(1) a space for the person's name, signature, address,

1 telephone number, and voter registration number and the date of
2 signing;

3 (2) the oath prescribed by Section 64.034; and

4 (3) a space for the person to indicate whether the
5 person has ever been convicted of an offense in connection with
6 conduct directly attributable to an election.

7 (c) Each person required to register under this section
8 shall file the form required by Subsection (b) with the early voting
9 clerk. A registration filed under this section expires on December
10 31 of each odd-numbered year.

11 (d) The early voting clerk shall maintain current
12 registrations in a file that is available to the public for
13 inspection.

14 (e) Subsection (a) does not apply if the person assisting a
15 voter is:

16 (1) related to the voter within the second degree by
17 affinity or the third degree by consanguinity, as determined under
18 Subchapter B, Chapter 573, Government Code;

19 (2) registered to vote at the same address as the
20 voter;

21 (3) employed by the nursing home or other long-term
22 care facility or retirement center in which the voter resides;

23 (4) employed by the hospital in which the voter is a
24 patient at the time the assistance is provided; or

25 (5) an early voting clerk or deputy early voting
26 clerk.

27 (f) A person is ineligible for registration under this

1 section if the person has been finally convicted of an offense in
2 connection with conduct directly attributable to an election.

3 (g) A person commits an offense if the person knowingly
4 violates Subsection (a). An offense under this subsection is a
5 Class A misdemeanor.

6 SECTION 3. This Act takes effect January 1, 2010.