

BILL ANALYSIS

H.B. 1761
By: Harper-Brown
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties assert that there would be additional integrity in the conduct of voting by mail if there were a straightforward warning to a voter about the potential risk of allowing a stranger to handle the voter's ballot and possibly compromising the vote. The parties note that the secretary of state's website contains language relating to early voting that could be incorporated into balloting materials that are sent through the mail. H.B. 1761 seeks to address this issue by changing statutes relating to instructions included on balloting materials for a ballot to be voted by mail.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1761 amends the Election Code to expand the instructions for early voting by mail, as prescribed by the secretary of state and printed on the balloting materials provided to the voter, to include a statement as set out in the bill, printed in English and Spanish. The bill requires the statement to inform the voter of the following: that a stranger may show up at the voter's residence offering to help the voter with the voter's ballot soon after the ballot is received in the mail; that it is recommended that the voter decline such help for specified reasons; that if the voter allows the ballot to be mailed by someone the voter does not know, the ballot may not be mailed at all, that the voter's ballot will be rejected by the county elections office if a common or contract carrier attempts to deliver the ballot from the address of a candidate or a campaign's headquarters; and that the safety of the voter's vote is best assured by asking someone the voter knows and trusts to assist with reading, marking, or mailing the voter's ballot.

EFFECTIVE DATE

September 1, 2011.