

BILL ANALYSIS

Senate Research Center
82R8686 ATP-D

S.B. 997
By: Shapiro
State Affairs
3/15/2011
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, an individual can assist multiple voters who cast their ballots by mail. The individual assisting these voters is required to sign the envelopes into which the voters place their ballots, as a record of who is offering assistance. This requirement was added by the 78th Legislature to help create safeguards against voter fraud directed at those individuals, often the elderly or disabled, who vote early by mail.

Despite this, some unscrupulous individuals still allegedly go to nursing homes, hospitals, other assisted living centers, and to people with language barriers where they help multiple voters cast their ballots, sometimes purportedly marking the ballots contrary to the wishes of the voter.

At present, Section 86.014 (Public Inspection of Early Voting Records), Election Code, allows an individual to get copies of any mail-in ballot application from the voting clerk at any time. S.B. 997 will amend Section 86.014 to make mail-in ballot applications only available for public inspection after election day, except to voters seeking to verify their own information.

As proposed, S.B. 997 amends current law relating to the public inspection of an application for a ballot to be voted early by mail.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 86.014(a), Election Code, as follows:

(a) Provides that a copy of an application for a ballot to be voted by mail is not available for public inspection, except to the voter seeking to verify that the information pertaining to the voter is accurate, until the first business day after election day. Deletes existing text authorizing a copy of an application for a ballot to be voted by mail to be obtained from the early voting clerk 72 hours after the time a ballot is mailed to the voter, or 48 hours after the time a ballot mailed to the voter if the mailing occurs on the fourth day before election day.

SECTION 2. Effective date: upon passage or September 1, 2011.