

By: Elkins

H.B. No. 2190

A BILL TO BE ENTITLED

AN ACT

relating to the deadlines by which provisional ballots must be processed and the state canvass must be conducted for certain elections.

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

SECTION 1. Section 65.051, Election Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Notwithstanding Subsection (a), for an election held on the date of the general election for state and county officers, the early voting ballot board shall verify and count provisional ballots as provided by this subchapter not later than the 13th day after the date of the election.

SECTION 2. Section 65.052, Election Code, is amended to read as follows:

Sec. 65.052. DUTY OF VOTER REGISTRAR. The secretary of state shall prescribe procedures by which the voter registrar of the county in which a provisional ballot is cast shall provide assistance to the early voting ballot board in executing its authority under this subchapter. In an election described by Section 65.051(a-1), the procedures must allow for seven calendar days for the voter registrar to review a provisional voter's eligibility.

SECTION 3. Section 67.003, Election Code, is amended by amending Subsection (a) and adding Subsection (c) to read as

1 follows:

2 (a) Except as provided by Subsection (b) or (c), each local
3 canvassing authority shall convene to conduct the local canvass at
4 the time set by the canvassing authority's presiding officer not
5 earlier than the eighth day or later than the 11th day after
6 election day.

7 (c) In an election described by Section 65.051(a-1), the
8 time for the local canvass may be set not later than the 14th day
9 after election day.

10 SECTION 4. Section 67.012(a), Election Code, is amended to
11 read as follows:

12 (a) The governor shall conduct the state canvass [~~not~~
13 ~~earlier than the 15th or later than the 30th day after election day~~]
14 at the time set by the secretary of state:

15 (1) not earlier than the 15th or later than the 30th
16 day after election day; or

17 (2) for an election described by Section 65.051(a-1),
18 not earlier than the 18th or later than the 33rd day after election
19 day.

20 SECTION 5. This Act takes effect September 1, 2011.