

1-1 By: Elkins (Senate Sponsor - Huffman) H.B. No. 2190
1-2 (In the Senate - Received from the House May 12, 2011;
1-3 May 12, 2011, read first time and referred to Committee on State
1-4 Affairs; May 20, 2011, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 20, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the deadlines by which provisional ballots must be
1-9 processed and the state canvass must be conducted for certain
1-10 elections.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 65.051, Election Code, is amended by
1-13 adding Subsection (a-1) to read as follows:

1-14 (a-1) Notwithstanding Subsection (a), for an election held
1-15 on the date of the general election for state and county officers,
1-16 the early voting ballot board shall verify and count provisional
1-17 ballots as provided by this subchapter not later than the 13th day
1-18 after the date of the election.

1-19 SECTION 2. Section 65.052, Election Code, is amended to
1-20 read as follows:

1-21 Sec. 65.052. DUTY OF VOTER REGISTRAR. The secretary of
1-22 state shall prescribe procedures by which the voter registrar of
1-23 the county in which a provisional ballot is cast shall provide
1-24 assistance to the early voting ballot board in executing its
1-25 authority under this subchapter. In an election described by
1-26 Section 65.051(a-1), the procedures must allow for seven calendar
1-27 days for the voter registrar to review a provisional voter's
1-28 eligibility.

1-29 SECTION 3. Section 67.003, Election Code, is amended by
1-30 amending Subsection (a) and adding Subsection (c) to read as
1-31 follows:

1-32 (a) Except as provided by Subsection (b) or (c), each local
1-33 canvassing authority shall convene to conduct the local canvass at
1-34 the time set by the canvassing authority's presiding officer not
1-35 earlier than the eighth day or later than the 11th day after
1-36 election day.

1-37 (c) In an election described by Section 65.051(a-1), the
1-38 time for the local canvass may be set not later than the 14th day
1-39 after election day.

1-40 SECTION 4. Section 67.012(a), Election Code, is amended to
1-41 read as follows:

1-42 (a) The governor shall conduct the state canvass [~~not~~
1-43 ~~earlier than the 15th or later than the 30th day after election day~~]
1-44 at the time set by the secretary of state:

1-45 (1) not earlier than the 15th or later than the 30th
1-46 day after election day; or

1-47 (2) for an election described by Section 65.051(a-1),
1-48 not earlier than the 18th or later than the 33rd day after election
1-49 day.

1-50 SECTION 5. This Act takes effect September 1, 2011.

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