

1-1 By: Isaac, et al. (Senate Sponsor - Van de Putte) H.B. No. 2595  
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 21, 2011, reported favorably by the following vote:  
1-5 Yeas 8, Nays 0; May 21, 2011, sent to printer.)

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

1-8 relating to the electronic submission and recording of documents  
1-9 associated with voting by mail.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 84.007(b), Election Code, is amended to  
1-12 read as follows:

1-13 (b) An application must be submitted to the early voting  
1-14 clerk by:

1-15 (1) mail;

1-16 (2) common or contract carrier; or

1-17 (3) a means of sending an electronic copy prescribed  
1-18 by the secretary of state ~~[telephonic facsimile machine, if the~~  
1-19 ~~applicant is absent from the county and if a machine is available in~~  
1-20 ~~the clerk's office]~~.

1-21 SECTION 2. Subchapter B, Chapter 87, Election Code, is  
1-22 amended by adding Section 87.0211 to read as follows:

1-23 Sec. 87.0211. ELECTRONIC DELIVERY OF MATERIALS RECORDED  
1-24 ELECTRONICALLY. If ballot materials and ballot applications are  
1-25 recorded electronically as provided by Section 87.126, the early  
1-26 voting clerk may deliver those materials to the early voting ballot  
1-27 board through electronic means.

1-28 SECTION 3. Section 87.027, Election Code, is amended by  
1-29 adding Subsection (m) to read as follows:

1-30 (m) If ballot materials or ballot applications are recorded  
1-31 electronically as provided by Section 87.126, the signature  
1-32 verification committee may use an electronic copy of a carrier  
1-33 envelope certificate or the voter's ballot application in making  
1-34 the comparison under Subsection (i).

1-35 SECTION 4. Subchapter G, Chapter 87, Election Code, is  
1-36 amended by adding Section 87.126 to read as follows:

1-37 Sec. 87.126. ELECTRONIC RECORDING OF BALLOT MATERIALS AND  
1-38 APPLICATIONS. (a) The early voting clerk may electronically  
1-39 record applications for a ballot to be voted by mail, jacket  
1-40 envelopes, carrier envelopes, and ballots.

1-41 (b) The secretary of state may adopt rules providing  
1-42 requirements for the electronic image quality and storage of the  
1-43 electronic images of the documents described by Subsection (a).

1-44 SECTION 5. This Act takes effect immediately if it receives  
1-45 a vote of two-thirds of all the members elected to each house, as  
1-46 provided by Section 39, Article III, Texas Constitution. If this  
1-47 Act does not receive the vote necessary for immediate effect, this  
1-48 Act takes effect September 1, 2011.

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