

By: Elkins

H.B. No. 985

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the deadlines by which provisional ballots must be  
3 processed and the state canvass must be conducted for certain  
4 elections.

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

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

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

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

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

23 SECTION 3. Section 67.003, Election Code, is amended by  
24 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, 2013.