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et al.

H.B. No. 1129

A BILL TO BE ENTITLED

AN ACT

relating to a program allowing certain military voters on active  
duty overseas to cast a ballot electronically.

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

SECTION 1. Chapter 105, Election Code, is amended by adding  
Section 105.004 to read as follows:

Sec. 105.004. E-MAIL BALLOT PROGRAM. (a) The secretary of  
state shall implement a program to allow a person who is casting an  
early voting ballot by mail to return the ballot by e-mail if the  
person is a member of the armed forces of the United States who is on  
active duty overseas and eligible for hostile fire pay. The  
secretary of state shall prescribe procedures to provide for a  
process implemented under this section to require:

(1) the voter to print the ballot, print and sign a  
voter signature form, and then scan the documents before submitting  
them by e-mail; and

(2) secure processing of ballots, including requiring  
the use of a voter's military e-mail address and common access card,  
or other measures the secretary of state considers appropriate.

(b) The secretary of state shall select to participate in  
the program a county that:

(1) desires to participate in the program; and

(2) is determined by the secretary of state to have the  
appropriate technological capabilities.

1       (c) The secretary of state shall operate the program  
2 established under Subsection (a) as a pilot program until September  
3 1, 2015.

4       (d) Not later than January 1, 2015, the secretary of state  
5 shall file a report with the legislature. The report may include  
6 the secretary of state's recommendations on the future use of  
7 e-mail ballot submission by members of the armed forces of the  
8 United States and suggestions for permanent statutory authority  
9 regarding e-mail ballot submission by members of the armed forces  
10 of the United States.

11       (e) This section expires September 1, 2015.

12       SECTION 2. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2013.