

By: Perez

H.B. No. 3500

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the electronic transmission of balloting materials for  
3 an election to certain voters located outside this state.

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

5 SECTION 1. Section 84.011(a), Election Code, is amended to  
6 read as follows:

7 (a) The officially prescribed application form for an early  
8 voting ballot must include:

9 (1) immediately preceding the signature space the  
10 statement: "I certify that the information given in this  
11 application is true, and I understand that giving false information  
12 in this application is a crime.";

13 (2) a statement informing the applicant of the  
14 offenses prescribed by Sections 84.003 and 84.004;

15 (3) spaces for entering an applicant's voter  
16 registration number and county election precinct of registration,  
17 with a statement informing the applicant that failure to furnish  
18 that information does not invalidate the application; and

19 (4) on an application for a ballot to be voted by mail:

20 (A) a space for an applicant applying on the  
21 ground of absence from the county of residence to indicate the date  
22 on or after which the applicant can receive mail at the address  
23 outside the county;

24 (B) a space for indicating the fact that an

1 applicant whose application is signed by a witness cannot make the  
2 applicant's mark and a space for indicating the relationship or  
3 lack of relationship of the witness to the applicant;

4 (C) a space for entering an applicant's telephone  
5 number, with a statement informing the applicant that failure to  
6 furnish that information does not invalidate the application;

7 (D) a space or box for an applicant applying on  
8 the ground of age or disability to indicate that the address to  
9 which the ballot is to be mailed is the address of a facility or  
10 relative described by Section 84.002(a)(3), if applicable;

11 (E) a space or box for an applicant applying on  
12 the ground of confinement in jail to indicate that the address to  
13 which the ballot is to be mailed is the address of a relative  
14 described by Section 84.002(a)(4), if applicable;

15 (F) spaces for entering the signature, printed  
16 name, and residence address of any person assisting the applicant;

17 (G) a statement informing the applicant of the  
18 condition prescribed by Section 81.005; ~~and~~

19 (H) a statement informing the applicant of the  
20 requirement prescribed by Section 86.003(c); and

21 (I) a statement informing an applicant who  
22 provides an address under Paragraph (A), (D), or (E) to which the  
23 application is to be mailed that is located outside the state that  
24 the applicant can choose to receive the application by e-mail  
25 transmission and a space for entering an e-mail address for this  
26 purpose.

27 SECTION 2. Section 86.003, Election Code, is amended by

1 amending Subsection (a) and adding Subsection (e) to read as  
2 follows:

3 (a) Except as provided by Subsection (e), the [~~The~~  
4 balloting materials for voting by mail shall be provided to the  
5 voter by mail. A ballot provided by any other method may not be  
6 counted.

7 (e) A voter is entitled to have the balloting materials sent  
8 by electronic transmission to the voter as provided by Subchapter  
9 C, Chapter 101, for an election to which that subchapter applies, if  
10 the voter's application for an early voting ballot to be voted by  
11 mail:

12 (1) cites a ground for voting by mail listed in  
13 Subsection (c);

14 (2) provides an address for the balloting materials to  
15 be sent to that is located outside of this state; and

16 (3) provides an e-mail address.

17 SECTION 3. This Act takes effect September 1, 2013.