

SENATE AMENDMENTS

2nd Printing

By: White, Menendez, Schaefer, Sanford,
et al.

H.B. No. 1129

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

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

22 (1) desires to participate in the program; and

23 (2) is determined by the secretary of state to have the
24 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.

ADOPTED

MAY 21 2013

Atty Gen
Secretary of the Senate

By: Van de Putte

H.B. No. 1129

Substitute the following for ___B. No. _____:

By: Patricia Van de Putte

C.S. ___B. No. _____

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11 active duty overseas and eligible for hostile fire pay. The
12 secretary of state shall prescribe procedures to provide for a
13 process implemented under this section to require:

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

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

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

22 (1) desires to participate in the program; and

23 (2) is determined by the secretary of state to have the
24 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
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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.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 21, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1129 by White (Relating to a program allowing certain military voters on active duty overseas to cast a ballot electronically.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code to require the Secretary of State to implement a program and prescribe procedures to allow a person who is casting an early 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 bill would require the secretary of State to select certain counties to participate in the program and operate the program as a pilot program until its expiration on September 1, 2015. The bill would require the Secretary of State to file a report with the legislature no later than January 1, 2015, which may include recommendations related to the program.

The Secretary of State indicates the provisions of the bill could be implemented within existing resources.

The bill would take effect immediately if it receives a vote of two-thirds of each house; if not, it will take effect on September 1, 2013.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State

LBB Staff: UP, SD, AG, KJo, EP, CK, AHE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 17, 2013

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1129 by White (Relating to a program allowing certain military voters on active duty overseas to cast a ballot electronically.), **Committee Report 2nd House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>

The bill would amend the Election Code to require the Secretary of State to implement a program and prescribe procedures to allow a person who is casting an early 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 bill would require the secretary of State to select certain counties to participate in the program and operate the program as a pilot program until its expiration on September 1, 2015. The bill would require the Secretary of State to file a report with the legislature no later than January 1, 2015, which may include recommendations related to the program.

The Secretary of State indicates the provisions of the bill could be implemented within existing resources.

The bill would take effect immediately if it receives a vote of two-thirds of each house; if not, it will take effect on September 1, 2013.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State

LBB Staff: UP, AG, KJo, EP, CK, AHE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 15, 2013

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1129 by White (Relating to a program allowing certain military voters on active duty overseas to cast a ballot electronically.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code to require the Secretary of State to implement a program and prescribe procedures to allow a person who is casting an early 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 bill would require the secretary of State to select certain counties to participate in the program and operate the program as a pilot program until its expiration on September 1, 2015. The bill would require the Secretary of State to file a report with the legislature no later than January 1, 2015, which may include recommendations related to the program.

The Secretary of State indicates the provisions of the bill could be implemented within existing resources.

The bill would take effect immediately if it receives a vote of two-thirds of each house; if not, it will take effect on September 1, 2013.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State

LBB Staff: UP, AG, KJo, EP, CK, AHE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 16, 2013

TO: Honorable José Menéndez, Chair, House Committee on Defense & Veterans' Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1129 by White (Relating to a program allowing certain military voters on active duty overseas to cast a ballot electronically.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code to require the Secretary of State to implement a program and prescribe procedures to allow a person who is casting an early 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 bill would require the secretary of State to select certain counties to participate in the program and operate the program as a pilot program until its expiration on September 1, 2015. The bill would require the Secretary of State to file a report with the legislature no later than January 1, 2015, which may include recommendations related to the program.

The Secretary of State indicates the provisions of the bill could be implemented within existing resources.

The bill would take effect immediately if it receives a vote of two-thirds of each house; if not, it will take effect on September 1, 2013.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State

LBB Staff: UP, KJo, EP, CK, AHE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 13, 2013

TO: Honorable José Menéndez, Chair, House Committee On Defense & Veterans' Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1129 by White (Relating to allowing military voters on active duty overseas to cast a ballot electronically.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code as it relates to allowing military voters on active duty overseas to cast a ballot electronically. The bill would require the Secretary of State to prescribe procedures to allow a person who is casting an early ballot by mail to return the ballot by e-mail. The bill would also remove the requirement that the person casting the ballot be located in an area in which armed forces are eligible to receive hostile fire pay or imminent danger pay or in an area that has been designated as a combat zone by the president of the United States.

The Secretary of State indicates the provisions of the bill could be implemented within existing resources.

The bill would take effect on September 1, 2013.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State

LBB Staff: UP, KJo, EP, CK