

By: Miller of Fort Bend

H.B. No. 2098

A BILL TO BE ENTITLED

AN ACT

relating to the requirements for an application to vote an early voting ballot by mail.

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

SECTION 1. Section 63.0101, Election Code, is amended to read as follows:

Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION.

(a) The following documentation is an acceptable form of photo identification under this chapter:

(1) a driver's license, election identification certificate, or personal identification card issued to the person by the Department of Public Safety that has not expired or that expired no earlier than 60 days before the date of presentation;

(2) a United States military identification card that contains the person's photograph that has not expired or that expired no earlier than 60 days before the date of presentation;

(3) a United States citizenship certificate issued to the person that contains the person's photograph;

(4) a United States passport issued to the person that has not expired or that expired no earlier than 60 days before the date of presentation; or

(5) a license to carry a concealed handgun issued to the person by the Department of Public Safety that has not expired or that expired no earlier than 60 days before the date of

1 presentation.

2 (b) If a person is 65 years of age or older, an expired
3 driver's license or personal identification card issued to the
4 person by the Department of Public Safety is an acceptable form of
5 identification for the purpose of applying for a ballot to be voted
6 by mail under Chapter 84.

7 SECTION 2. Section 84.002(a), Election Code, is amended to
8 read as follows:

9 (a) An early voting ballot application must include:

10 (1) the applicant's name, ~~and~~ the address at which
11 the applicant is registered to vote, and, if the applicant is
12 applying for a ballot to be voted by mail for the first time, a copy
13 of one form of identification described by Section 63.0101;

14 (2) for an application for a ballot to be voted by mail
15 on the ground of absence from the county of residence, the address
16 outside the applicant's county of residence to which the ballot is
17 to be mailed;

18 (3) for an application for a ballot to be voted by mail
19 on the ground of age or disability, the address of the hospital,
20 nursing home or other long-term care facility, or retirement
21 center, or of a person related to the applicant within the second
22 degree by affinity or the third degree by consanguinity, as
23 determined under Chapter 573, Government Code, if the applicant is
24 living at that address and that address is different from the
25 address at which the applicant is registered to vote;

26 (4) for an application for a ballot to be voted by mail
27 on the ground of confinement in jail, the address of the jail or of a

1 person related to the applicant within the degree described by
2 Subdivision (3);

3 (5) for an application for a ballot to be voted by mail
4 on any ground, an indication of each election for which the
5 applicant is applying for a ballot; and

6 (6) an indication of the ground of eligibility for
7 early voting.

8 SECTION 3. Section 84.011(a), Election Code, is amended to
9 read as follows:

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

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

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

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

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

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

27 (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 the applicant of the
22 requirement that the applicant include a copy of one form of
23 identification described by Section 63.0101 if the applicant is
24 applying for a ballot to be voted by mail for the first time.

25 SECTION 4. Section 86.001, Election Code, is amended by
26 adding Subsection (h) to read as follows:

27 (h) The secretary of state shall by rule provide a system

1 for maintaining information regarding the provision of
2 identification with each initial application for a ballot to be
3 voted by mail.

4 SECTION 5. The changes in law made by this Act apply only to
5 an application to vote an early voting ballot by mail submitted on
6 or after the effective date of this Act. An application to vote an
7 early voting ballot by mail submitted before the effective date of
8 this Act is governed by the law in effect when the application was
9 submitted, and the former law is continued in effect for that
10 purpose.

11 SECTION 6. This Act takes effect September 1, 2015.