

By: Miller of Fort Bend

H.B. No. 2163

Substitute the following for H.B. No. 2163:

By: Fallon

C.S.H.B. No. 2163

A BILL TO BE ENTITLED

AN ACT

1
2 relating to signature verification on an early voting ballot voted
3 by mail.

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

5 SECTION 1. Section 87.027(i), Election Code, is amended to
6 read as follows:

7 (i) The signature verification committee shall compare the
8 signature on each carrier envelope certificate, except those signed
9 for a voter by a witness, with any two or more signatures of the
10 voter made within the preceding six years and on file with the
11 general custodian of election records or voter registrar [~~the~~
12 ~~signature on the voter's ballot application~~] to determine whether
13 the signatures are those of the same person. The committee may also
14 compare the signatures with any two or more signatures of the voter
15 made before the preceding six years and on file with the general
16 custodian of election records or voter registrar [~~the signature on~~
17 ~~the voter's registration application~~] to confirm that the
18 signatures are those of the same person but may not use the
19 signatures [~~registration application signature~~] to determine that
20 the signatures are not those of the same person. Except as provided
21 by Subsection (1), a determination under this subsection that the
22 signatures are not those of the same person must be made by a
23 majority vote of the committee's membership. The committee shall
24 place the jacket envelopes, carrier envelopes, and applications of

1 voters whose signatures are not those of the same person in separate
2 containers from those of voters whose signatures are those of the
3 same person. The committee chair shall deliver the sorted
4 materials to the early voting ballot board at the time specified by
5 the board's presiding judge.

6 SECTION 2. Section 87.041, Election Code, is amended by
7 amending Subsection (e) and adding Subsection (e-1) to read as
8 follows:

9 (e) In making the determination under Subsection (b)(2),
10 the board may also compare the signatures with any two or more
11 signatures of the voter made within the preceding six years and on
12 file with the general custodian of election records or voter
13 registrar to determine if ~~[confirm that]~~ the signatures are those
14 of the same person ~~[but may not use the signatures to determine that~~
15 ~~the signatures are not those of the same person]~~.

16 (e-1) In making the determination under Subsection (b)(2),
17 the board may also compare the signatures with any two or more
18 signatures of the voter made before the preceding six years and on
19 file with the general custodian of election records or voter
20 registrar to confirm that the signatures are those of the same
21 person but may not use the signatures to determine that the
22 signatures are not those of the same person.

23 SECTION 3. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2015.