

By: Reynolds

H.B. No. 3586

A BILL TO BE ENTITLED

AN ACT

relating to the deadline for returning a ballot voted by mail.

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

SECTION 1. Sections 86.007(d), (e), and (f), Election Code, are amended to read as follows:

(d) A marked ballot voted by mail that arrives after the time prescribed by Subsection (a) shall be counted if:

(1) ~~[the ballot was cast from an address outside the United States,~~

~~(2)]~~ the carrier envelope was placed for delivery before the time the ballot is required to arrive under Subsection (a); and

(2) ~~(3)]~~ the ballot arrives at the address on the carrier envelope not later than the fifth day after the date of the election, except that if that date falls on a Saturday, Sunday, or legal state or national holiday, then the deadline is extended to the next regular business day.

(e) A delivery under Subsection (d)(1) ~~(d)(2)]~~ is timely, except as otherwise provided by this title, if the carrier envelope or, if applicable, the envelope containing the carrier envelope:

(1) is properly addressed with postage or handling charges prepaid; and

(2) ~~[is sent from an address outside the United States, and~~

1           ~~[(3)]~~ bears a cancellation mark of a recognized postal  
2 service or a receipt mark of a common or contract carrier or a  
3 courier indicating a time before the deadline.

4           (f) If the envelope does not bear the cancellation mark or  
5 receipt mark as required by Subsection (e)(2) ~~[(e)(3)]~~, a delivery  
6 from an address outside the United States ~~[under Subsection (d)(1)]~~  
7 is presumed to be timely if the other requirements under this  
8 section are met. ~~[Section 1.006 does not apply to Subsection~~  
9 ~~(d)(3).]~~

10           SECTION 2. This Act takes effect September 1, 2015.