

By: Garcia

S.B. No. 1489

A BILL TO BE ENTITLED

AN ACT

relating to information regarding provisional voting.

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

SECTION 1. Section 63.001(g), Election Code, is amended to read as follows:

(g) If the requirements for identification prescribed by Subsection (b) are not met, the voter may be accepted for provisional voting only under Section 63.011. For a voter who is not accepted for voting under this section, an election officer shall:

(1) inform the voter of the voter's right to cast a provisional ballot under Section 63.011 and provide the voter with the declination of provisional ballot form described by Section 63.010(b); and

(2) provide the voter with written information, in a form prescribed by the secretary of state, that:

(A) lists the requirements for identification;

(B) states the procedure for presenting identification under Section 65.0541;

(C) includes a map showing the location where identification must be presented; and

(D) includes notice that if all procedures are followed and the voter is found to be eligible to vote and is voting in the correct precinct, the voter's provisional ballot will be

1 accepted.

2 SECTION 2. Chapter 63, Election Code, is amended by adding
3 Section 63.010 to read as follows:

4 Sec. 63.010. DECLINATION OF PROVISIONAL BALLOT FORM.

5 (a) An election officer shall ensure that a declination of a
6 provisional ballot is executed for each person who is informed of
7 the person's right to cast a provisional ballot under Section
8 63.001(g).

9 (b) The officially prescribed form for a declination of a
10 provisional ballot must include:

11 (1) spaces to indicate the reason the voter may only
12 vote provisionally and the date;

13 (2) the following question, followed by appropriate
14 boxes preceding "YES" and "NO": "If you have not been accepted for
15 voting a regular ballot, would you like to vote a provisional ballot
16 today?";

17 (3) the statement: "IF YOU HAVE NOT CHECKED EITHER
18 BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO VOTE A
19 PROVISIONAL BALLOT."; and

20 (4) a space for indicating that the voter refused to
21 complete the declination.

22 SECTION 3. This Act takes effect September 1, 2015.