

Amend Amendment No. 5 by Goldman to SB 5 as follows:

(1) Add the following appropriately numbered SECTIONS to the amendment and renumber subsequent SECTIONS of the amendment accordingly:

SECTION _____. Section 84.038, Election Code, is amended to read as follows:

Sec. 84.038. CANCELLATION EFFECTIVE FOR SINGLE ELECTION. The cancellation of an application for a ballot to be voted by mail under Section 84.032(c), (d), or (e) is effective for a single ballot only and does not cancel the application with respect to a subsequent election, including a subsequent election to which the same application applies under Section 84.001(e), 86.0015(b), or 86.0131.

SECTION _____. Section 86.013, Election Code, is amended by amending Subsections (c), (d), and (g) and adding Subsections (h) and (i) to read as follows:

(c) A certificate in substantially the following form must be printed on the reverse side of the official carrier envelope in a manner that requires the voter to sign across the flap of the envelope:

"I certify that the enclosed ballot expresses my wishes independent of any dictation or undue persuasion by any person.

Signature of voter

By:

Signature of person assisting voter, if applicable (see Ballot Envelope and separate sheet accompanying Carrier Envelope for restrictions and penalties)

person assisting voter,

Printed name of
if applicable

of person assisting

Residence address
voter, if

applicable"

The space provided for the voter's signature must be located in a box that is at least one inch by three inches, and "Signature of Voter" and "Sign Over the Sealed Flap" must be printed in bold type.

(d) The following textual material, as prescribed by the secretary of state, must be printed [~~on the reverse side of the official carrier envelope or~~] on a separate sheet accompanying the carrier envelope [~~when it is provided~~]:

- (1) the prohibition prescribed by Section 86.006(b);
 - (2) the conditions for delivery by common or contract carrier prescribed by Sections 81.005 and 86.006;
 - (3) the requirements for the legal execution and delivery of the carrier envelope, including the prohibition on compensation for depositing carrier envelopes containing ballots voted by other persons under Section 86.0052;
 - (4) the prohibition prescribed by Section 86.006(e);
- [~~and~~]
- (5) the offenses prescribed by Sections 86.006(f) and 86.010(f);
 - (6) instructions for the renewal application prescribed by Section 86.0131; and
 - (7) any additional information required to instruct the voter.

(g) The secretary of state by rule shall require that a notice informing voters of the telephone number established under Section 31.0055 and the purpose of the telephone number be printed on[+]

~~[(1) the official carrier envelope, or~~

~~[(2)]~~ an insert enclosed with the balloting materials for voting by mail sent to the voter.

(h) The secretary of state shall adopt guidelines for the textual material required under Subsection (d) and the format of the carrier envelope in consultation with plain language experts and after determining the best practices for drafting the textual material and designing the carrier envelope. The secretary of state may inform the counties of any best practices determined under this subsection to be used in developing election materials.

(i) The carrier envelope may not be printed to require an assistant or witness who completes the information required by Subsection (c) to additionally check or otherwise make a selection mark indicating that an assistant or witness was used.

SECTION _____. Chapter 86, Election Code, is amended by adding Section 86.0131 to read as follows:

Sec. 86.0131. RENEWAL APPLICATION FOR BALLOTS BY MAIL ON CARRIER ENVELOPE. (a) The following renewal application shall be printed on the carrier envelope, preceded by a box for the voter to indicate by a check mark their desire to receive all ballots until December 31 of the next year:

"I request all future ballots for the remainder of this voting cycle until December 31 of the next year.

"If applicable, I wish to vote in the: (check one)

___ Democratic Primary

___ Republican Primary

___ I do not wish to vote in a party primary."

(b) The renewal application must state the period for which the renewal application is effective, and must provide spaces to mark the voter's signature, the date, and the voter's telephone number and e-mail address.

(c) If the voter, or a witness as provided by Section 84.003, does not sign the renewal application, the renewal application is invalid.

(d) If for any reason the ballot is rejected for the specific election, the application for future ballots shall be valid if it is signed and the appropriate box is checked.

(e) If the voter does not mark a specific primary or the box stating the voter does not wish to vote in a primary, the clerk shall treat the application as if the voter indicated "I do not wish to vote in a party primary."

(f) A renewal application under this section shall be processed in the same manner as an original application for a ballot by mail under this code.

(g) Notwithstanding any other provision of this code, a renewal application submitted under this section serves as an application for a ballot to be voted by mail for every election until December 31 of the year following the date of the election for which the ballot containing the renewal application was returned. The subsequent submission of an application to vote early by mail under any provision of this code does not supersede the renewal under this section unless the voter changes the address to which the voter's ballot is to be sent.

(h) The secretary of state shall prescribe rules and procedures as necessary to implement this section.

SECTION _____. Section 87.041, Election Code, is amended by adding Subsections (h) and (i) to read as follows:

(h) The board may not reject a ballot solely on the grounds that a signature on the carrier envelope certificate is not located entirely in the space provided for the signature.

(i) The board may not reject a ballot solely on the grounds that an assistant or witness who provided all the information on the carrier envelope under Section 86.013(c) failed to provide an indication that an assistant or witness was used if the assistant or witness complied with Section 86.010(e).

SECTION _____. Section 87.044, Election Code, is amended by adding Subsection (c) to read as follows:

(c) The early voting ballot board shall deliver to the early voting clerk any early voting applications included as provided by Section 86.0131 on a carrier envelope with a ballot voted in an election held on the November uniform election date regardless of whether the ballot is accepted.