

By: Swanson

H.B. No. 96

Substitute the following for H.B. No. 96:

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C.S.H.B. No. 96

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Sections 87.027(i) and (j), Election Code, are amended to read as follows:

(i) The signature verification committee shall compare the signature on each carrier envelope certificate, except those signed for a voter by a witness, with the signature on the voter's ballot application to determine whether the signatures are those of the voter ~~[same person]~~. The committee may also compare the signatures with any two or more signatures of the voter made within the preceding six years and on file with the general custodian of election records or voter registrar ~~[the signature on the voter's registration application]~~ to confirm that the signatures are those of the voter and may ~~[same person but may not]~~ use the signatures ~~[registration application signature]~~ to determine that the signatures are not those of the voter ~~[same person]~~. Except as provided by Subsection (1), a determination under this subsection that the signatures are not those of the voter ~~[same person]~~ must be made by a majority vote of the committee's membership. The committee shall place the jacket envelopes, carrier envelopes, and applications of voters whose signatures are not those of the voter ~~[same person]~~ in separate containers from those of voters whose

signatures are those of the voter ~~[same person]~~. The committee chair shall deliver the sorted materials to the early voting ballot board at the time specified by the board's presiding judge.

(j) If a signature verification committee is appointed, the early voting ballot board shall follow the same procedure for accepting the early voting ballots voted by mail as in an election without a signature verification committee, except that the board may not determine whether a voter's signatures on the carrier envelope certificate and ballot application are those of the voter ~~[same person]~~ if the committee has determined that the signatures are those of the voter ~~[same person]~~. If the committee has determined that the signatures are not those of the voter ~~[same person]~~, the board may make a determination that the signatures are those of the voter ~~[same person]~~ by a majority vote of the board's membership.

SECTION 2. Section 87.041(e), Election Code, is amended to read as follows:

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

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect December 1, 2017.