

## **BILL ANALYSIS**

Senate Research Center  
85R18801 ATP-D

C.S.H.B. 929  
By: Miller (Taylor, Van)  
State Affairs  
5/19/2017  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Military Overseas Voter Empowerment (MOVE) Act was a federal act that informed substantial changes to the military absentee voting in Texas. Under this Act, there is a five-day grace period for all absentee ballots to be received timely and counted. This act was designated to give military personnel and their families overseas or those residing outside their election district reasonable opportunity to participate in the voting process. In every election tens of thousands of military and family members are unable to vote due to ballots not delivered, received, or counted. According to the United States Election Assistance Commission, 30 percent said they could not vote because their ballots never arrived or arrived too late (2012). Despite the Department of Defense's Federal Voting Assistance Program's outreach efforts, the military absentee voting process often leaves overseas voters with insufficient time to complete and return ballots.

H.B. 929 provides additional time to the grace period provided by the MOVE Act. If ballots are sent out late or the ballot arrives at the address of the polling place not later than the eighth day after the date of the election, then extra time is given to those ballots. This enables military personnel to be able to submit their ballots, and gives more time to those ballots that might be sent late or arrive late due to various circumstances related to overseas receipt of ballot. (Original Author's / Sponsor's Statement of Intent)

C.S.H.B. 929 amends current law relating to the time for returning ballots mailed by certain federal postcard applicants.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 67.003(b), Election Code, as follows:

(b) Requires each local canvassing authority, except as provided by Subsection (c) (relating to authorizing the local canvass to be set up not later than a certain date) to convene to conduct the local canvass at the time set by the canvassing authority's presiding officer during a certain period. Deletes existing text requiring that the local canvass for an election held on the uniform election date in May occur during a certain period.

SECTION 2. Amends Section 101.057, Election Code, as follows:

Sec. 101.057. RETURN OF VOTED BALLOT. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Requires that a ballot voted by a voter described by Section 101.001(2)(A) (relating to early voting by mail by members, or spouses or dependents of members, of the United States armed forces) or (B) (relating to early voting by members, or spouses or dependents of members, of the United States merchant

marine) be counted if the ballot arrives at the address on the carrier envelope not later than the sixth 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.

SECTION 3. Repealer: Section 67.003(a) (relating to requiring each local canvassing authority to convene at certain times), Election Code.

SECTION 4. Effective date: September 1, 2017.