

By: Miller

H.B. No. 929

A BILL TO BE ENTITLED

AN ACT

relating to the time for returning mail ballots.

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

SECTION 1. Section 86.007, Election Code, is amended by amending Subsections (a), (d), and (g) and adding Subsection (d-1) to read as follows:

(a) Except as provided by Subsection (d) or (d-1), a marked ballot voted by mail must arrive at the address on the carrier envelope before the time the polls are required to close on election day.

(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

(3) the ballot arrives at the address on the carrier envelope not later than the eighth [~~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.

(d-1) A marked ballot voted by mail that arrives after the time prescribed by Subsection (a) shall be counted if:

1           (1) balloting materials are sent after the time  
2 prescribed by Section 86.004 for providing the ballots; and

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

8           (g) The secretary of state shall prescribe procedures as  
9 necessary to implement Subsections [~~Subsection~~] (d) and (d-1).

10          SECTION 2. Section 67.003(c), Election Code, is amended to  
11 read as follows:

12           (c) In an election described by Section 65.051(a-1) or in an  
13 election in which Section 86.007(d-1)(1) applies, the time for the  
14 local canvass may be set not later than the 14th day after election  
15 day.

16          SECTION 3. This Act takes effect September 1, 2017.