

By: Cortez, Arévalo, Gutierrez, Perez,
Anderson of McLennan, et al.

H.B. No. 1414

A BILL TO BE ENTITLED

AN ACT

relating to voting procedures for certain federal postcard
applicants and military personnel serving overseas.

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

SECTION 1. Section 67.003(b), Election Code, is amended to
read as follows:

(b) Except as provided by Subsection (c), each local
canvassing authority shall convene to conduct the local canvass at
the time set by the canvassing authority's presiding officer [~~For
an election held on the uniform election date in May, the
local canvass must occur~~] not later than the 11th day after
election day and not earlier than the later of:

(1) the third day after election day;

(2) the date on which the early voting ballot board has
verified and counted all provisional ballots, if a provisional
ballot has been cast in the election; or

(3) the date on which all timely received ballots cast
from addresses outside of the United States are counted, if a ballot
to be voted by mail in the election was provided to a person outside
of the United States.

SECTION 2. Section 101.057, Election Code, is amended to
read as follows:

Sec. 101.057. RETURN OF VOTED BALLOT. (a) A ballot voted
under this subchapter may be returned to the early voting clerk by

1 mail, common or contract carrier, or courier.

2 (b) A ballot voted by a voter described by Section
3 101.001(2)(A) or (B) shall be counted if the ballot arrives at the
4 address on the carrier envelope not later than the sixth day after
5 the date of the election, except that if that date falls on a
6 Saturday, Sunday, or legal state or national holiday, then the
7 deadline is extended to the next regular business day.

8 SECTION 3. Sections 105.004(b), (c), (d), and (e), Election
9 Code, are amended to read as follows:

10 (b) The secretary of state shall select to participate in
11 the program any county [~~a number of counties as determined by the~~
12 ~~secretary of state~~] that:

13 (1) desires [~~desire~~] to participate in the program;

14 and

15 (2) is [~~are~~] determined by the secretary of state to
16 have the appropriate technological capabilities.

17 (c) The secretary of state shall operate the program
18 established under Subsection (a) [~~as a pilot program~~] until
19 September 1, 2021 [~~2017~~].

20 (d) Not later than January 1, 2021 [~~2017~~], the secretary of
21 state shall file a report with the legislature. The report may
22 include the secretary of state's recommendations on the future use
23 of e-mail ballot submission by members of the armed forces of the
24 United States and suggestions for permanent statutory authority
25 regarding e-mail ballot submission by members of the armed forces
26 of the United States.

27 (e) This section expires September 1, 2021 [~~2017~~].

1 SECTION 4. Section 67.003(a), Election Code, is repealed.

2 SECTION 5. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2017.