By: Israel, Laubenberg (Senate Sponsor - Zaffirini) H.B. No. 2410 (In the Senate - Received from the House May 10, 2017; May 10, 2017, read first time and referred to Committee on State Affairs; May 18, 2017, reported favorably by the following vote: Yeas 9, Nays 0; May 18, 2017, sent to printer.) 1-1 1-2 1-3 1-4

1-6 COMMITTEE VOTE

1-7		Yea	Nay	Absent	PNV
1-8	Huffman	X	-		
1-9	Hughes	Χ			
1-10	Birdwell	X			
1-11	Creighton	X			
1-12	Estes	Х			
1-13	Lucio	X			
1-14	Nelson	Χ			
1-15	Schwertner	X			
1-16	Zaffirini	X			

1-17 A BILL TO BE ENTITLED 1-18 AN ACT

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1-19 relating to the authority to conduct a runoff primary election by 1-20 mail in certain counties.

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

SECTION 1. Subchapter E, Chapter 172, Election Code, amended by adding Section 172.129 to read as follows:

Sec. 172.129. VOTING BY MAIL IN CERTAIN RUNOFF PRIMARY ELECTIONS. (a) The state chair of a political party may by order require a runoff primary election to be conducted in a county only by mail if:

(1)fewer than 100 votes were cast in the county in the party's general primary election; and

(2) a runoff election is required in the county only for statewide offices or district offices filled by voters of more

than one county.

(b) If the state chair of the political party requires the conduct of a runoff primary election only by mail, the state chair shall send the order to the county clerk not later than the fifth day after the local canvass is completed.

(c) The county clerk shall provide an official ballot in the manner provided by Chapter 86 to each registered voter in a county who:

voted in the party's general primary election; or

(2) requests in writing a ballot for the runoff primary election and is otherwise eligible to vote in the election.

(d) A person who did not vote in the party's general primary election and did not vote in any other party's primary election may request a runoff primary election ballot to be voted by mail:

(1) by submitting a written request to the county clerk;

by mailing to the county clerk an application form prescribed by the secretary of state;

(3) in person before election day by presenting to the county clerk an application form prescribed by the secretary of

state or a written request for a ballot by mail; or

(4) in person on election day by presenting to the county clerk an application form prescribed by the secretary of state or a written request for a ballot by mail.

(e) A written request submitted under Subsection (d)(1) must include:

(1)

the voter's name;
the voter's registration address; (2)

the runoff election date or a statement that the (3) 1-60 1-61 application is for the runoff election;

the county; 2-1 the name of the political party conducting the 2-2 runoff; and 2-3 (6) 2 - 4the voter's signature. 2-5 A voter requesting a ballot under Subsection (d)(3) or 2-6 (4) shall be provided with the ballot materials on presentation of 2-7 an application or written request demonstrating that the voter is eligible to vote in the election.

(g) A voter requesting a ballot under Subsection (d)(3) may 2-8 2-9 2-10 return the marked ballot in person to the county clerk or by mail or 2-11 common carrier. 2-12 (h) A voter requesting a ballot under Subsection (d)(4) may return the marked ballot to the county clerk in person not later 2-13 than 7 p.m. on election day. 2-14 (i) All ballots voted by mail or in person under this section shall be counted in the same manner as a ballot voted by 2**-**15 2**-**16 2-17 mail under Chapter 86. (j) The county clerk shall be reimbursed for costs of conducting the runoff election by mail from the same funds that 2-18 2-19 would provide for a runoff primary election by personal appearance. 2**-**20 2**-**21 (k) The secretary of state may adopt rules as necessary to 2-22 implement this section. The application form adopted by the

secretary of state under this section must include the required

SECTION 2. This Act takes effect September 1, 2017.

information for a written request under Subsection (e).

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