

By: Swanson

H.B. No. 3435

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. Section 87.027(i), Election Code, is 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 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 same person and may ~~[but may not]~~ use the signatures ~~[registration application signature]~~ to determine that the signatures are not those of the same person. Except as provided by Subsection (1), a determination under this subsection that the signatures are not those of the 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 same person in separate containers from those of voters whose signatures are those of the same

1 person. The committee chair shall deliver the sorted materials to  
2 the early voting ballot board at the time specified by the board's  
3 presiding judge.

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

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

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