

House Bill 1595
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (CS)	CONFERENCE
No equivalent provision.	SECTION 1. Section 84.011, Election Code, is amended by adding Subsection (c) to read as follows: <u>(c) In addition to the requirements imposed by Subsection (a), the officially prescribed application form for an early voting ballot must include a space for the voter to provide a change of residence address within the county, if applicable.</u>	
No equivalent provision.	SECTION 2. Section 84.032(c), Election Code, is amended to read as follows: (c) An applicant may submit a request after the close of early voting by personal appearance by appearing in person and: (1) returning the ballot to be voted by mail to the early voting clerk; or (2) executing an affidavit that the applicant: <u>(A) has not received the ballot to be voted by mail; or</u> <u>(B) received notice of a defect under Section 87.0271(b) or 87.0411(b).</u>	
No equivalent provision.	SECTION 3. Section 86.001, Election Code, is amended by adding Subsection (f) to read as follows: <u>(f) If the application includes a change of address within the county, the early voting clerk shall notify the voter registrar of the change and the registrar shall update the voter's registration accordingly.</u>	
No equivalent provision.	SECTION 4. Section 86.002, Election Code, is amended by adding Subsection (a-1) to read as follows: <u>(a-1) Notwithstanding Subsection (a), the clerk is not required to provide a form for a statement of residence to a voter who</u>	

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indicated a change of address within the county on the voter's application for an early voting ballot to be voted by mail.

SECTION 1. Section 86.004(a), Election Code, is amended to read as follows:

(a) Except as provided by Subsection (b), the balloting materials for voting by mail shall be mailed to a voter entitled to vote by mail not later than the seventh calendar day after the later of the date the clerk accepts the voter's application for a ballot to be voted by mail or the date the ballots become available for mailing, except that if that mailing date is earlier than the 45th day before election day, the balloting materials shall be mailed not later than the 30th [~~38th~~] day before election day.

No equivalent provision.

SECTION 5. Same as House version.

SECTION 6. 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 (l), a determination

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

SECTION 7. Subchapter B, Chapter 87, Election Code, is amended by adding Section 87.0271 to read as follows:
Sec. 87.0271. OPPORTUNITY TO CORRECT DEFECT: SIGNATURE VERIFICATION COMMITTEE. (a) This section applies to an early voting ballot voted by mail:
(1) for which the voter did not sign the carrier envelope certificate;
(2) for which it cannot immediately be determined whether the signature on the carrier envelope certificate is that of the voter;
(3) missing any required statement of residence; or
(4) containing incomplete information with respect to a witness.
(b) Before deciding whether to accept or reject a timely delivered ballot under Section 87.027, the signature verification committee may:
(1) return the carrier envelope to the voter by mail, if the signature verification committee determines that it would be possible to correct the defect and return the carrier envelope before the time the polls are required to close on election day;
or

No equivalent provision.

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(2) notify the voter of the defect by telephone or e-mail and inform the voter that the voter may come to the early voting clerk's office in person to:
(A) correct the defect; or
(B) request to have the voter's application to vote by mail canceled under Section 84.032.
(c) If the signature verification committee takes an action described by Subsection (b), the committee must take either action described by that subsection with respect to each ballot in the election to which this section applies.
(d) A poll watcher is entitled to observe an action taken under Subsection (b).
(e) The secretary of state may prescribe any procedures necessary to implement this section.

No equivalent provision.

SECTION 8. Section 87.041(e), Election Code, is amended to read as follows:
(e) In making the determination under Subsection (b)(2), the board 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 to determine if ~~confirm that~~ the signatures are those of the same person ~~[but may not use the signatures to determine that the signatures are not those of the same person]~~.

No equivalent provision.

SECTION 9. Subchapter C, Chapter 87, Election Code, is amended by adding Section 87.0411 to read as follows:
Sec. 87.0411. OPPORTUNITY TO CORRECT DEFECT: EARLY VOTING BALLOT BOARD. (a) This section

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applies to an early voting ballot voted by mail:

(1) for which the voter did not sign the carrier envelope certificate;

(2) for which it cannot immediately be determined whether the signature on the carrier envelope certificate is that of the voter;

(3) missing any required statement of residence; or

(4) containing incomplete information with respect to a witness.

(b) Before deciding whether to accept or reject a timely delivered ballot under Section 87.041, the early voting ballot board may:

(1) return the carrier envelope to the voter by mail, if the early voting ballot board determines that it would be possible to correct the defect and return the carrier envelope before the time the polls are required to close on election day; or

(2) notify the voter of the defect by telephone or e-mail and inform the voter that the voter may come to the early voting clerk's office in person to:

(A) correct the defect; or

(B) request to have the voter's application to vote by mail canceled under Section 84.032.

(c) If the early voting ballot board takes an action described by Subsection (b), the board must take either action described by that subsection with respect to each ballot in the election to which this section applies.

(d) A poll watcher is entitled to observe an action taken under Subsection (b).

(e) The secretary of state may prescribe any procedures necessary to implement this section.

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

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SECTION 10. Same as House version.

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