

By: Thompson of Harris

H.B. No. 704

A BILL TO BE ENTITLED

1 AN ACT

2 relating to renewing the application to receive ballots to be voted  
3 by mail for certain elections held during a calendar year.

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

5 SECTION 1. Section 86.0015, Election Code, is amended by  
6 adding Subsections (g) and (h) to read as follows:

7 (g) The county clerk shall provide to a voter who has  
8 applied for and qualifies to receive ballots to be voted by mail  
9 under this section, with the ballot for an election held on the  
10 November uniform election date of an even-numbered year, an  
11 application for a ballot to be voted by mail and instructions for  
12 submitting the application under this subsection. The application:

13 (1) must be preprinted so that the voter is required  
14 only to:

15 (A) sign and date the application; and

16 (B) indicate in which political party's primary  
17 election the voter seeks to vote or indicate that the voter does not  
18 want to receive a primary election ballot;

19 (2) may be returned with the voter's ballot in the  
20 carrier envelope;

21 (3) applies to each election that occurs before  
22 December 31 of the next even-numbered year following the November  
23 election, notwithstanding Subsection (b)(2)(A);

24 (4) must be signed by the applicant, or by a witness as

1 provided by Section 84.003; and

2 (5) must be on a form prescribed by the secretary of  
3 state.

4 (h) The secretary of state shall prescribe an application  
5 form and instructions under Subsection (g) required for use by each  
6 county.

7 SECTION 2. Section 87.043, Election Code, is amended by  
8 adding Subsection (e) to read as follows:

9 (e) After the final canvass for an election held on the  
10 November uniform election date of an even-numbered year, the early  
11 voting ballot board shall determine whether an application provided  
12 to the voter under Section 86.0015(g) is stored in an envelope with  
13 or otherwise included with a rejected ballot. The early voting  
14 ballot board shall deliver to the early voting clerk any early  
15 voting applications described by this subsection.

16 SECTION 3. Section 87.044, Election Code, is amended by  
17 adding Subsection (c) to read as follows:

18 (c) The early voting ballot board shall deliver to the early  
19 voting clerk any early voting applications included as provided by  
20 Section 86.0015(g) in a carrier envelope with a ballot voted in an  
21 election held on the November uniform election date of an  
22 even-numbered year regardless of whether the ballot is accepted.

23 SECTION 4. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2019.