

By: González of Dallas

H.B. No. 1459

Substitute the following for H.B. No. 1459:

By: Klick

C.S.H.B. No. 1459

A BILL TO BE ENTITLED

AN ACT

relating to the appointment of early voting boards, including the signature verification committee.

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

SECTION 1. Section 87.002, Election Code, is amended to read as follows:

Sec. 87.002. COMPOSITION OF BOARD. (a) The early voting ballot board consists of a presiding judge, an alternate presiding judge, and at least two other members.

(b) Except as provided by Subsection (d), the presiding judge and the alternate presiding judge are [~~is~~] appointed in the same manner as a presiding election judge under Section 32.002. Except as provided by Subsection (c), the other members are appointed by the presiding judge in the same manner as the precinct election clerks.

(c) In the general election for state and county officers, each county chair of a political party with nominees on the general election ballot shall submit to the county election board a list of names of persons eligible to serve on the early voting ballot board. The county election board shall appoint at least one person from each list to serve as a member of the early voting ballot board. The same number of members must be appointed from each list. If a political party does not submit a list, the county election board may make appointments to the board as necessary from any political

1 party.

2 (d) In addition to the members appointed under Subsection
3 (c), the county election board shall appoint the presiding judge
4 from the list provided under that subsection by the political party
5 whose nominee for governor received the most votes in the county in
6 the most recent gubernatorial general election and the alternate
7 presiding judge from the list provided under that subsection by the
8 political party whose nominee for governor received the second most
9 votes in the county in the most recent gubernatorial general
10 election.

11 SECTION 2. Sections 87.027(d), (i), and (j), Election Code,
12 are amended to read as follows:

13 (d) The early voting clerk shall determine the number of
14 members who are to compose the signature verification committee and
15 shall state that number in the order calling for the committee's
16 appointment. A committee must consist of not fewer than five
17 members. In an election in which party alignment is indicated on
18 the ballot, each county chair of a political party with a nominee or
19 aligned candidate on the ballot shall submit to the appointing
20 authority a list of names of persons eligible to serve on the
21 signature verification committee. The authority shall appoint at
22 least two persons from each list to serve as members of the
23 committee. The same number of members must be appointed from each
24 list. The authority shall appoint the chair of the committee from
25 the list provided by the political party whose nominee for governor
26 received the most votes in the county in the most recent
27 gubernatorial general election. The authority shall also appoint a

1 vice chair of the committee from the list provided by a political
2 party whose nominee for governor received the second most votes in
3 the county in the most recent gubernatorial general election. If a
4 political party does not submit a list, the authority may make
5 appointments as needed from any political party. A vacancy on the
6 committee shall be filled by appointment from the original list or
7 from a new list submitted by the appropriate county chair.

8 (i) The signature verification committee shall compare the
9 signature on each carrier envelope certificate, except those signed
10 for a voter by a witness, with the signature on the voter's ballot
11 application to determine whether the signatures are those of the
12 voter. While the committee is reviewing signatures, an equal
13 number of committee members from each political party that
14 submitted a list of names shall be present to the extent
15 practicable. The committee may also compare the signatures with
16 any two or more signatures of the voter made within the preceding
17 six years and on file with the county clerk or voter registrar to
18 determine whether the signatures are those of the voter. Except as
19 provided by Subsection (1), a determination under this subsection
20 that the signatures are not those of the voter must be made by a
21 majority vote of the committee's membership. If a tie vote of the
22 committee's membership occurs, the signatures are considered to be
23 those of the voter. The committee shall place the jacket envelopes,
24 carrier envelopes, and applications of voters whose signatures are
25 not those of the voter in separate containers from those of voters
26 whose signatures are those of the voter. The committee chair shall
27 deliver the sorted materials to the early voting ballot board at the

1 time specified by the board's presiding judge.

2 (j) If a signature verification committee is appointed, the
3 early voting ballot board shall follow the same procedure for
4 accepting the early voting ballots voted by mail as in an election
5 without a signature verification committee, except that the board
6 may not determine whether a voter's signatures on the carrier
7 envelope certificate and ballot application are those of the same
8 person if the committee has determined that the signatures are
9 those of the same person. If the committee has determined that the
10 signatures are not those of the same person, the board may make a
11 determination that the signatures are those of the same person by a
12 ~~majority~~ vote of at least one-half of the board's membership. If
13 a tie vote of the board's membership occurs, the signatures are
14 considered to be those of the same person.

15 SECTION 3. This Act takes effect September 1, 2019.