

By: Israel

H.B. No. 2562

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to procedures relating to the acceptance or rejection of a  
3 ballot voted by mail.

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

5 SECTION 1. Subchapter B, Chapter 87, Election Code, is  
6 amended by adding Section 87.0271 to read as follows:

7 Sec. 87.0271. OPPORTUNITY TO CORRECT DEFECT: SIGNATURE  
8 VERIFICATION COMMITTEE. (a) This section applies to an early  
9 voting ballot voted by mail:

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

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

14 (b) Before deciding whether to accept or reject a timely  
15 delivered ballot under Section 87.027, the signature verification  
16 committee shall:

17 (1) return the carrier envelope to the voter by mail,  
18 if the voter did not sign the carrier envelope certificate and the  
19 signature verification committee determines that it would be  
20 possible to sign and return the carrier envelope before the fifth  
21 day after election day; or

22 (2) notify the voter of the defect by telephone or  
23 e-mail and inform the voter that the voter may come to the early  
24 voting clerk's office in person before the fifth day after election

1 day to:

2 (A) sign the carrier envelope certificate; or

3 (B) affirm that the ballot was submitted by the  
4 voter.

5 (c) A voter may not correct a defect under this section  
6 later than the fifth day after election day.

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

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

11 SECTION 2. Subchapter C, Chapter 87, Election Code, is  
12 amended by adding Section 87.0411 to read as follows:

13 Sec. 87.0411. OPPORTUNITY TO CORRECT DEFECT: EARLY VOTING  
14 BALLOT BOARD. (a) This section applies to an early voting ballot  
15 voted by mail:

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

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

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

23 (1) return the carrier envelope to the voter by mail,  
24 if the voter did not sign the carrier envelope certificate and the  
25 early voting ballot board determines that it would be possible to  
26 sign and return the carrier envelope before the fifth day after  
27 election day; or

1           (2) notify the voter of the defect by telephone or  
2 e-mail and inform the voter that the voter may come to the early  
3 voting clerk's office in person before the fifth day after election  
4 day to:

5                   (A) sign the carrier envelope certificate; or

6                   (B) affirm that the ballot was submitted by the  
7 voter.

8           (c) A voter may not correct a defect under this section  
9 later than the fifth day after election day.

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

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

14           SECTION 3. Subchapter C, Chapter 87, Election Code, is  
15 amended by adding Section 87.045 to read as follows:

16           Sec. 87.045. REJECTED BALLOT INFORMATION LIST. (a) The  
17 early voting ballot board for each election shall create a list of  
18 the voters whose ballots have been rejected. The list must include:

19                   (1) the voter's name;

20                   (2) the voter's address, unless the voter's residence  
21 address is confidential under Section 13.004(c);

22                   (3) the voter's unique identifier assigned under  
23 Section 18.061; and

24                   (4) the reason the voter's ballot was rejected.

25           (b) The list created under Subsection (a) is a public record  
26 and shall be made available for public inspection.

27           SECTION 4. This Act takes effect September 1, 2019.