

By: Zaffirini

S.B. No. 1638

A BILL TO BE ENTITLED

AN ACT

relating to early voting procedures.

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

SECTION 1. Section 67.007(b), Election Code, is amended to read as follows:

(b) The county election returns shall state, for each candidate and for and against each measure:

(1) ~~the~~ the total number of votes received in the county as stated by the local canvassing authority's tabulation of votes;

(2) the total number of early voting votes cast by personal appearance received in the county; and

(3) the total number of early voting votes cast by mail received in the county.

SECTION 2. Section 68.004(b), Election Code, is amended to read as follows:

(b) The periodic reports may include:

(1) vote totals for all contested races being tabulated;

(2) vote totals by county for federal offices and statewide offices of the state government;

(3) vote totals for federal offices and statewide offices of the state government in each of the six most populous counties, the total for the next 19 most populous counties, and the total for the remaining 229 counties; ~~and~~

1 (4) the total number of early voting votes cast by
2 personal appearance and the total number of early voting votes cast
3 by mail for all contested races being tabulated; and

4 (5) any other information the secretary of state
5 determines to be relevant.

6 SECTION 3. Section 87.027, Election Code, is amended by
7 adding Subsection (i-1) to read as follows:

8 (i-1) The signature verification committee may compare the
9 signature on each carrier envelope certificate, except those signed
10 for a voter by a witness, with the signatures on other carrier
11 envelope certificates received for the same election to determine
12 whether the same voter cast more than one ballot by mail. A
13 determination under this subsection that the same voter cast more
14 than one ballot by mail must be made by a majority vote of the
15 committee's membership. The committee must report a determination
16 under this subsection that the same voter cast more than one ballot
17 by mail in the same election to the attorney general and the
18 attorney general shall investigate the allegations. The secretary
19 of state may adopt rules relating to the information included in a
20 report to the attorney general under this subsection.

21 SECTION 4. Section 87.042(b), Election Code, is amended to
22 read as follows:

23 (b) The [~~Except as provided by Subsection (c), the~~] board
24 shall place the ballot envelope containing an accepted ballot in a
25 separate ballot box from the ballot box containing the early voting
26 ballots voted by personal appearance.

27 SECTION 5. Section 87.103, Election Code, is amended by

1 amending Subsection (b) and adding Subsection (c) to read as
2 follows:

3 (b) The early voting returns prepared at the central
4 counting station must include any early voting results obtained by
5 the early voting ballot board under Subchapter [~~Subchapters~~] D [~~and~~
6 ~~E~~].

7 (c) The early voting votes cast by personal appearance shall
8 be tabulated separately from the early voting votes cast by mail and
9 shall be separately reported on the returns.

10 SECTION 6. Section 87.124, Election Code, is amended to
11 read as follows:

12 Sec. 87.124. PRESERVATION OF EARLY VOTING ELECTION RECORDS
13 GENERALLY. The early voting election returns, voted early voting
14 ballots, and other early voting election records shall be preserved
15 after the election in the same manner as the corresponding precinct
16 election records except that early voting ballots voted by mail
17 shall be preserved in a separate container from early voting
18 ballots cast by personal appearance.

19 SECTION 7. Section 87.042(c), Election Code, is repealed.

20 SECTION 8. This Act takes effect September 1, 2019.