

By: Dominguez

H.B. No. 155

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the deadline for returning a ballot voted by mail.

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

4 SECTION 1. Sections 86.007(a) and (e), Election Code, are
5 amended to read as follows:

6 (a) A [~~Except as provided by Subsection (d), a~~] marked
7 ballot voted by mail must arrive at the address on the carrier
8 envelope:

9 (1) before the time the polls are required to close on
10 election day; or

11 (2) not later than the fifth day after the date of the
12 election [~~5 p.m. on the day after election day~~], if the carrier
13 envelope was placed for delivery by mail or common or contract
14 carrier before election day and bears a cancellation mark of a
15 common or contract carrier or a courier indicating a time not later
16 than 7 p.m. at the location of the election on election day.

17 (e) A delivery under Subsection (a)(2) [~~or (d)~~] is timely,
18 except as otherwise provided by this title, if the carrier envelope
19 or, if applicable, the envelope containing the carrier envelope:

20 (1) is properly addressed with postage or handling
21 charges prepaid; and

22 (2) bears a cancellation mark of a recognized postal
23 service or a receipt mark of a common or contract carrier or a
24 courier indicating a time before the deadline.

1 SECTION 2. Sections 87.125(a) and (a-1), Election Code, are
2 amended to read as follows:

3 (a) The early voting ballot board shall convene to count
4 ballots voted by mail that arrive at the address on the carrier
5 envelope after 5 p.m. on the day after election day and are timely
6 under Section 86.007 [~~described by Section 86.007(d)~~] at the time
7 set by the presiding judge of the board on the ninth day after the
8 date of an election or on an earlier day if the early voting clerk
9 certifies that all ballots voted by mail [~~mailed from outside the~~
10 ~~United States~~] have been received.

11 (a-1) Notwithstanding Subsection (a), for an election held
12 on the date of the general election for state and county officers,
13 the early voting ballot board shall convene to count ballots voted
14 by mail that arrive at the address on the carrier envelope after 5
15 p.m. on the day after election day and are timely under Section
16 86.007 [~~described by Sections 86.007(d) and (d-1)~~] not later than
17 the 13th day after the date of the election.

18 SECTION 3. Sections 86.007(d) and (g), Election Code, are
19 repealed.

20 SECTION 4. This Act takes effect on the 91st day after the
21 last day of the legislative session.