By: Noble   H.B. No. 301

A BILL TO BE ENTITLED

1   AN ACT

2 relating to ballots voted by mail.

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

4   SECTION 1. Section 87.021, Election Code, is amended to

5 read as follows:

6   Sec. 87.021. BALLOTS AND OTHER MATERIALS DELIVERED TO

7 BOARD. The early voting clerk shall deliver to the early voting

8 ballot board:

9   (1) in an election in which regular paper ballots are

10 used for early voting by personal appearance, each ballot box, in

11 accordance with Section 85.032(b), containing the early voting

12 ballots voted by personal appearance and the clerk's key to each

13 box;

14   (2) the jacket envelopes containing the early voting

15 ballots voted by mail, regardless of the ballot type or voting

16 system used;

17   (3) the poll lists prepared in connection with early

18 voting by personal appearance;

19   (4) the list of registered voters used in conducting

20 early voting; [and]

21   (5) a ballot transmittal form that includes a

22 statement of the number of early voting ballots voted by mail,

23 regardless of the ballot type or voting system used, that are

24 delivered to the early voting ballot board, and in an election in

1

1   which regular paper ballots are used for early voting by personal

2   appearance, the number of names appearing on the poll lists

3   prepared in connection with early voting by personal appearance;

4   (6) copies of the applications for ballots to be voted

5   by mail for each ballot voted by mail received; and

6   (7) copies of the voter's signature from the voter's

7   application for voter registration.

8   SECTION 2. Subchapter C, Chapter 87, Election Code, is

9   amended by adding Section 87.0405 to read as follows:

10   Sec. 87.0405. REVIEW OF APPLICATION FOR BALLOT TO BE VOTED

11   BY MAIL. Before reviewing a carrier envelope certificate, the

12   early voting ballot board shall review each application for a

13   ballot to be voted by mail that correlates with the carrier envelope

14   to determine if the signature on the ballot application was

15   executed by a person other than the voter, unless the application

16   was signed by a witness. The early voting clerk shall make

17   available for review signatures for each applicant for a ballot to

18   be voted by mail from the previous six years.

19   SECTION 3. Section 87.126, Election Code, is amended to

20   read as follows:

21   Sec. 87.126. ELECTRONIC RECORDING OF CERTAIN [BALLOT]

22   MATERIALS USED IN EARLY VOTING BY MAIL [AND APPLICATIONS]. (a) The

23   early voting clerk may electronically record applications for a

24   ballot to be voted by mail, jacket envelopes, the front and back of

25   carrier envelopes, and ballots.

26   (b) The early voting clerk shall have software available to

27   display all electronically available signatures together. The

1 software must be made available for the first election following an

2 update of the software the early voting clerk uses under this

3 section that occurs after December 31, 2021.

4   (c) The secretary of state may adopt rules providing

5 requirements for the electronic image quality and storage of the

6 electronic images of the documents described by this section

7 [Subsection (a)].

8   SECTION 4. This Act takes effect immediately if it receives

9 a vote of two-thirds of all the members elected to each house, as

10 provided by Section 39, Article III, Texas Constitution. If this

11 Act does not receive the vote necessary for immediate effect, this

12 Act takes effect on the 91st day after the last day of the

13 legislative session.