

1-1 By: Hughes, Springer S.B. No. 1
 1-2 (In the Senate - Filed July 8, 2021; July 8, 2021, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 July 12, 2021, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 6, Nays 3; July 12, 2021,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13		X		
1-14	X			
1-15		X		
1-16	X			
1-17		X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1 By: Hughes

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to election integrity and security, including by
 1-22 preventing fraud in the conduct of elections in this state;
 1-23 increasing criminal penalties; creating criminal offenses;
 1-24 providing civil penalties.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 ARTICLE 1. REGISTRATION OF VOTERS

1-27 SECTION 1.01. Section 13.002, Election Code, is amended by
 1-28 adding Subsection (c-1) to read as follows:

1-29 (c-1) The information required under Subsections (c)(3),
 1-30 (4), (5), (6), and (8) must be supplied by the person desiring to
 1-31 register to vote.

1-32 SECTION 1.02. Section 15.021, Election Code, is amended by
 1-33 amending Subsections (b) and (d) and adding Subsections (d-1) and
 1-34 (d-2) to read as follows:

1-35 (b) Except as provided by Subsection (d), the [The] voter
 1-36 shall use the registration certificate or a registration
 1-37 application form as the notice, indicating the correct information
 1-38 in the appropriate space on the certificate or application form
 1-39 unless the voter does not have possession of the certificate or an
 1-40 application form at the time of giving the notice.

1-41 (d) ~~A voter [who continues to reside in the county in which~~
 1-42 ~~the voter is registered]~~ may correct information under this section
 1-43 by digital transmission of the information under a program
 1-44 administered by the secretary of state and the Department of
 1-45 Information Resources.

1-46 (d-1) If the notice indicates that a voter no longer resides
 1-47 in the county in which the voter is registered, the registrar shall
 1-48 forward the notice and the voter's original application for
 1-49 registration to the registrar of the county in which the voter
 1-50 resides. The registrars shall coordinate to ensure that the
 1-51 voter's existing registration is canceled immediately after the
 1-52 voter is registered in the county in which the voter resides in
 1-53 accordance with Subsection (d-2).

1-54 (d-2) A registrar who receives a voter's notice and
 1-55 application from another registrar under Subsection (d-1) shall
 1-56 treat it as an original application for registration under Section
 1-57 13.002, and shall register the voter if the voter resides in the
 1-58 county and is otherwise eligible under Section 13.001.

1-59 SECTION 1.03. Section 15.028, Election Code, is amended to
 1-60 read as follows:

2-1 Sec. 15.028. NOTICE OF UNLAWFUL VOTING OR REGISTRATION ~~[TO~~
 2-2 ~~PROSECUTOR]~~. ~~[(a)]~~ If the registrar determines that a person who
 2-3 is not eligible to vote registered to vote or [a registered voter]
 2-4 voted in an election, the registrar shall execute and deliver to the
 2-5 attorney general, the secretary of state, and the county or
 2-6 district attorney having jurisdiction in the territory covered by
 2-7 the election an affidavit stating the relevant facts.

2-8 ~~[(b) If the election covers territory in more than one~~
 2-9 ~~county, the registrar shall also deliver an affidavit to the~~
 2-10 ~~attorney general.]~~

2-11 SECTION 1.04. Section 16.0332, Election Code, is amended by
 2-12 amending Subsection (a) and adding Subsections (a-1), (d), and (e)
 2-13 to read as follows:

2-14 (a) After the registrar receives notification [a list]
 2-15 under Subsection (a-1) of this section, Section 18.068 of this
 2-16 code, or Section 62.113, Government Code, of persons excused or
 2-17 disqualified from jury service because of citizenship status or
 2-18 notification of persons who indicate a lack of citizenship status
 2-19 in connection with a motor vehicle or Department of Public Safety
 2-20 record as provided by Subsection (a-1), the registrar shall deliver
 2-21 to each registered voter whose name appears on the list a written
 2-22 notice requiring the voter to submit to the registrar proof of
 2-23 United States citizenship in the form of a certified copy of the
 2-24 voter's birth certificate, United States passport, or certificate
 2-25 of naturalization or any other form prescribed by the secretary of
 2-26 state. The notice shall be delivered by forwardable mail to the
 2-27 mailing address on the voter's registration application and to any
 2-28 new address of the voter known to the registrar.

2-29 (a-1) The secretary of state shall enter into an agreement
 2-30 with the Department of Public Safety under which information in the
 2-31 existing statewide computerized voter registration list is
 2-32 compared against information in the database of the Department of
 2-33 Public Safety on a monthly basis to verify the accuracy of
 2-34 citizenship status information previously provided on voter
 2-35 registration applications. In comparing information under this
 2-36 subsection, the secretary of state shall consider only a voter's
 2-37 information in the database of the Department of Public Safety that
 2-38 was derived from documents presented by the voter to the department
 2-39 after the person's current voter registration became effective, and
 2-40 may not consider information derived from documents presented by
 2-41 the voter to the department before the person's current voter
 2-42 registration became effective.

2-43 (d) The secretary of state shall prescribe rules for the
 2-44 administration of this section.

2-45 (e) Not later than December 31 of each year, the secretary
 2-46 of state shall provide a report to the legislature of the number of
 2-47 voter registrations canceled under this section during the calendar
 2-48 year.

2-49 SECTION 1.05. Section 18.068, Election Code, is amended by
 2-50 amending Subsection (a) and adding Subsection (a-1) to read as
 2-51 follows:

2-52 (a) The secretary of state shall quarterly compare the
 2-53 information received under Section 16.001 of this code and Sections
 2-54 [Section] 62.113 and 62.114, Government Code, to the statewide
 2-55 computerized voter registration list. If the secretary determines
 2-56 that a voter on the registration list is deceased or has been
 2-57 excused or disqualified from jury service because the voter is not a
 2-58 citizen or a resident of the county in which the voter is registered
 2-59 to vote, the secretary shall send notice of the determination to:

2-60 (1) the voter registrar of the counties considered
 2-61 appropriate by the secretary; and

2-62 (2) the attorney general, who shall quarterly review
 2-63 the information to investigate whether a person has committed an
 2-64 offense under Section 13.007 or other law.

2-65 (a-1) The secretary of state is not required to send notice
 2-66 under Subsection (a) for a voter who is subject to an exemption from
 2-67 jury service under Section 62.106, Government Code, if that
 2-68 exemption is the only reason the voter is excused from jury service.

2-69 SECTION 1.06. Section 31.006, Election Code, is amended to

3-1 read as follows:

3-2 Sec. 31.006. REFERRAL [~~OF COMPLAINT~~] TO ATTORNEY GENERAL.

3-3 (a) If, after receiving or discovering information indicating that
3-4 ~~[a complaint alleging]~~ criminal conduct in connection with an
3-5 election has occurred, the secretary of state determines that there
3-6 is reasonable cause to suspect that ~~[the alleged]~~ criminal conduct
3-7 occurred, the secretary shall promptly refer the information
3-8 ~~[complaint]~~ to the attorney general. The secretary shall deliver
3-9 to the attorney general all pertinent documents and information in
3-10 the secretary's possession.

3-11 (b) The documents and information submitted under
3-12 Subsection (a) are not considered public information until:

3-13 (1) the secretary of state makes a determination that
3-14 the information ~~[complaint]~~ received does not warrant an
3-15 investigation; or

3-16 (2) if referred to the attorney general, the attorney
3-17 general has completed the investigation or has made a determination
3-18 that the information ~~[complaint]~~ referred does not warrant an
3-19 investigation.

3-20 SECTION 1.07. Section 62.113(b), Government Code, is
3-21 amended to read as follows:

3-22 (b) On the third business day of each month, the clerk shall
3-23 send a copy of the list of persons excused or disqualified because
3-24 of citizenship in the previous month to:

3-25 (1) the voter registrar of the county;

3-26 (2) the secretary of state; and

3-27 (3) the attorney general and the county or district
3-28 ~~attorney[, as applicable,]~~ for an investigation of whether the
3-29 person committed an offense under Section 13.007, Election Code, or
3-30 other law.

3-31 SECTION 1.08. Sections 62.114(b) and (c), Government Code,
3-32 are amended to read as follows:

3-33 (b) On the third business day of each month, the clerk shall
3-34 send ~~[to the voter registrar of the county]~~ a copy of the list of
3-35 persons excused or disqualified in the previous month because the
3-36 persons do not reside in the county to:

3-37 (1) the voter registrar of the county;

3-38 (2) the secretary of state; and

3-39 (3) the attorney general and the county or district
3-40 attorney for an investigation of whether the person committed an
3-41 offense under Section 13.007, Election Code, or other law.

3-42 (c) A list compiled under this section may not be used for a
3-43 purpose other than a purpose described by Subsection (b) or Section
3-44 15.081 or 18.068, Election Code.

3-45 ARTICLE 2. CONDUCT AND SECURITY OF ELECTIONS

3-46 SECTION 2.01. Section 43.031(b), Election Code, is amended
3-47 to read as follows:

3-48 (b) Each polling place shall be located inside a building.
3-49 A polling place may not be located in a tent or similar temporary
3-50 moveable structure or in a facility primarily designed for motor
3-51 vehicles. No voter may cast a vote from inside a motor vehicle
3-52 unless the voter meets the requirements of Section 64.009.

3-53 SECTION 2.02. Section 61.002, Election Code, is amended to
3-54 read as follows:

3-55 Sec. 61.002. OPENING AND CLOSING POLLING PLACE FOR VOTING.

3-56 (a) Immediately before opening the polls for voting on the first
3-57 day of early voting and on election day, the presiding election
3-58 judge or alternate election judge shall confirm that each voting
3-59 machine has any public counter reset to zero and shall print the
3-60 tape that shows the counter was set to zero for each candidate or
3-61 measure on the ballot.

3-62 (b) At the official time for opening the polls for voting,
3-63 an election officer shall open the polling place entrance and admit
3-64 the voters.

3-65 (c) Immediately after closing the polls for voting on
3-66 election day, the presiding election judge or alternate election
3-67 judge shall print the tape to show the number of votes cast for each
3-68 candidate or ballot measure for each voting machine.

3-69 (d) Each election judge or alternate election judge present

4-1 shall sign a tape printed under this section.

4-2 SECTION 2.03. Section 64.007(c), Election Code, is amended
4-3 to read as follows:

4-4 (c) An election officer shall maintain a register of spoiled
4-5 ballots at the polling place, including spoiled ballots from a
4-6 direct recording electronic voting unit. An election officer shall
4-7 enter on the register the name of each voter who returns a spoiled
4-8 ballot and the spoiled ballot's number. The secretary of state
4-9 shall create and promulgate a form to be used for this purpose.

4-10 SECTION 2.04. Subchapter A, Chapter 65, Election Code, is
4-11 amended by adding Section 65.017 to read as follows:

4-12 Sec. 65.017. VOTE TABULATING EQUIPMENT. Beginning January
4-13 1, 2024, equipment to tabulate votes may not be used if any wireless
4-14 connectivity capability of the equipment has not been disabled or
4-15 removed.

4-16 SECTION 2.05. Subchapter A, Chapter 66, Election Code, is
4-17 amended by adding Section 66.004 to read as follows:

4-18 Sec. 66.004. CLOSING POLLING PLACE. The secretary of state
4-19 shall adopt rules and create a checklist or similar guidelines to
4-20 assist the presiding judge of a polling place in processing forms
4-21 and conducting procedures required by this code at the closing of
4-22 the polling place.

4-23 SECTION 2.06. Section 66.052, Election Code, is amended to
4-24 read as follows:

4-25 Sec. 66.052. DELIVERY BY ELECTION CLERK; CHAIN OF CUSTODY.

4-26 (a) A delivery of election records or supplies that is to be
4-27 performed by the presiding judge may be performed by an election
4-28 clerk designated by the presiding judge.

4-29 (b) If the presiding judge of a polling place designates a
4-30 clerk to deliver election supplies, the presiding judge shall
4-31 attest to the designation, and the clerk shall attest to the clerk's
4-32 acceptance of the responsibility. The secretary of state shall
4-33 create and promulgate a form to facilitate compliance with this
4-34 section.

4-35 SECTION 2.07. Section 85.005, Election Code, is amended to
4-36 read as follows:

4-37 Sec. 85.005. REGULAR DAYS AND HOURS FOR VOTING. (a) Except
4-38 as provided by Subsection (c), in an election in which a county
4-39 clerk [~~or city secretary~~] is the early voting clerk under Section
4-40 83.002 [~~or 83.005~~], early voting by personal appearance at the main
4-41 early voting polling place shall be conducted on each weekday of
4-42 [~~the weekdays of~~] the early voting period that is not a legal state
4-43 holiday and for a period of at least nine hours, except that voting
4-44 may not be conducted earlier than 6 a.m. or later than 9 p.m.
4-45 [~~during the hours that the county clerk's or city secretary's main~~
4-46 business office is regularly open for business.]

4-47 (b) In an election to which Subsection (a) does not apply,
4-48 early voting by personal appearance at the main early voting
4-49 polling place shall be conducted at least nine [~~eight~~] hours each
4-50 weekday of the early voting period that is not a legal state holiday
4-51 unless the territory covered by the election has fewer than 1,000
4-52 registered voters. In that case, the voting shall be conducted at
4-53 least four [~~three~~] hours each day. The authority ordering the
4-54 election, or the county clerk if that person is the early voting
4-55 clerk, shall determine which hours the voting is to be conducted.

4-56 (c) In a county with a population of 30,000 [~~100,000~~] or
4-57 more, the voting in a primary election or the general election for
4-58 state and county officers shall be conducted at the main early
4-59 voting polling place for at least 12 hours on each weekday of the
4-60 last week of the early voting period, and the voting in a special
4-61 election ordered by the governor shall be conducted at the main
4-62 early voting polling place for at least 12 hours on each of the last
4-63 two days of the early voting period. Voting under this subsection
4-64 may not be conducted earlier than 6 a.m. or later than 9 p.m. Voting
4-65 shall be conducted in accordance with this subsection in those
4-66 elections in a county with a population under 30,000 [~~100,000~~] on
4-67 receipt by the early voting clerk of a written request for the
4-68 extended hours submitted by at least 15 registered voters of the
4-69 county. The request must be submitted in time to enable compliance

5-1 with Section 85.067.

5-2 (d) A voter who has not voted before the scheduled time for
 5-3 closing a polling place is entitled to vote after that time if the
 5-4 voter is in line at the polling place by closing time. The
 5-5 secretary of state shall promulgate any materials and provide any
 5-6 training to presiding judges necessary to properly process voters
 5-7 under this subsection [In an election ordered by a city, early
 5-8 voting by personal appearance at the main early voting polling
 5-9 place shall be conducted for at least 12 hours.

5-10 [~~(1) on one weekday, if the early voting period~~
 5-11 ~~consists of less than six weekdays, or~~

5-12 [~~(2) on two weekdays, if the early voting period~~
 5-13 ~~consists of six or more weekdays].~~

5-14 SECTION 2.08. Sections 85.006(b) and (e), Election Code,
 5-15 are amended to read as follows:

5-16 (b) In an election in which a county clerk [~~or city~~
 5-17 ~~secretary~~] is the early voting clerk under Section 83.002 [~~or~~
 5-18 ~~83.005~~], only the early voting clerk may order voting on a Saturday
 5-19 or Sunday. The clerk must do so by written order.

5-20 (e) In a primary election or the general election for state
 5-21 and county officers in a county with a population of 30,000
 5-22 [~~100,000~~] or more, the early voting clerk shall order voting by
 5-23 personal appearance [voting] at the main early voting polling place
 5-24 to be conducted on the last Saturday of the early voting period for
 5-25 at least 12 hours, except that voting may not be conducted earlier
 5-26 than 6 a.m. or later than 9 p.m., [on the last Saturday] and on the
 5-27 last Sunday of the early voting period for at least six [five]
 5-28 hours, except that voting may not be conducted earlier than 6 a.m.
 5-29 or later than 9 p.m. [on the last Sunday of the early voting period].
 5-30 The early voting clerk shall order voting to be conducted at those
 5-31 times in those elections in a county with a population under 30,000
 5-32 [~~100,000~~] on receipt of a written request for those hours submitted
 5-33 by at least 15 registered voters of the county. The request must be
 5-34 submitted in time to enable compliance with Section 85.007. This
 5-35 subsection supersedes any provision of this subchapter to the
 5-36 extent of any conflict.

5-37 SECTION 2.09. Section 85.010(a-1), Election Code, is
 5-38 amended to read as follows:

5-39 (a-1) In this section, "eligible county polling place"
 5-40 means an early voting polling place [~~, other than a polling place~~
 5-41 ~~established under Section 85.062(e),~~] established by a county.

5-42 SECTION 2.10. Section 85.061(a), Election Code, is amended
 5-43 to read as follows:

5-44 (a) In a countywide election in which the county clerk is
 5-45 the early voting clerk under Section 83.002, an early voting
 5-46 polling place shall be located inside [at] each branch office that
 5-47 is regularly maintained for conducting general clerical functions
 5-48 of the county clerk, except as provided by Subsection (b). If a
 5-49 suitable room is unavailable inside the branch office, the polling
 5-50 place may be located in another room inside the same building as the
 5-51 branch office. The polling place may not be located in a tent or
 5-52 similar temporary movable structure or a parking garage, parking
 5-53 lot, or similar facility designed primarily for motor vehicles.

5-54 SECTION 2.11. Section 85.062, Election Code, is amended by
 5-55 amending Subsection (b) and adding Subsection (f-1) to read as
 5-56 follows:

5-57 (b) A polling place established under this section may be
 5-58 located, subject to Subsection (d), at any place in the territory
 5-59 served by the early voting clerk and may be located inside [in] any
 5-60 building [stationary structure] as directed by the authority
 5-61 establishing the branch office. The polling place may not be
 5-62 located in a tent or similar temporary movable structure or a
 5-63 parking garage, parking lot, or similar facility designed primarily
 5-64 for motor vehicles in the general election for state and county
 5-65 officers, general primary election, or runoff primary election.
 5-66 Ropes or other suitable objects may be used at the polling place to
 5-67 ensure compliance with Section 62.004. Persons who are not
 5-68 expressly permitted by law to be in a polling place shall be
 5-69 excluded from the polling place to the extent practicable.

6-1 (f-1) Notwithstanding any other provision of this section
 6-2 concerning the location of temporary branch polling places, in an
 6-3 election in which countywide polling places are used, the
 6-4 commissioners court of a county shall employ the same methodology
 6-5 it uses to determine the location of countywide polling places to
 6-6 determine the location of temporary branch polling places.

6-7 SECTION 2.12. Section 124.002, Election Code, is amended by
 6-8 adding Subsection (c) to read as follows:

6-9 (c) Voting system ballots may not be arranged in a manner
 6-10 that allows a political party's candidates to be selected in one
 6-11 motion or gesture.

6-12 SECTION 2.13. Section 127.1232, Election Code, is amended
 6-13 to read as follows:

6-14 Sec. 127.1232. SECURITY OF VOTED BALLOTS. (a) The general
 6-15 custodian of election records shall post a licensed peace officer
 6-16 [guard] to ensure the security of ballot boxes containing voted
 6-17 ballots throughout the period of tabulation at the central counting
 6-18 station.

6-19 (b) The general custodian of election records in a county
 6-20 with a population of less than 100,000 may, and the general
 6-21 custodian of election records in a county with a population of
 6-22 100,000 or more shall, implement a video surveillance system that
 6-23 retains a record of all areas containing voted ballots:

6-24 (1) from the time the voted ballots are delivered to
 6-25 the central counting station until the canvass of precinct election
 6-26 returns; and

6-27 (2) from the time the voted ballots are delivered to
 6-28 the signature verification committee or early voting ballot board
 6-29 until the canvass of precinct election returns.

6-30 (c) A video from a system implemented under Subsection (b)
 6-31 may be made available to the public by a livestream in a county with
 6-32 a population of less than 100,000, and shall be made available to
 6-33 the public by a livestream in a county with a population of 100,000
 6-34 or more.

6-35 (d) The video recorded is an election record under Section
 6-36 1.012 and shall be retained by the general custodian of election
 6-37 records until the end of the calendar year in which an election is
 6-38 held or until an election contest filed in the county has been
 6-39 resolved, whichever is later.

6-40 ARTICLE 3. ELECTION OFFICERS AND OBSERVERS

6-41 SECTION 3.01. Section 33.051, Election Code, is amended by
 6-42 adding Subsections (g) and (h) to read as follows:

6-43 (g) An election officer commits an offense if the officer
 6-44 intentionally or knowingly refuses to accept a watcher for service
 6-45 when acceptance of the watcher is required by this section. An
 6-46 offense under this subsection is a Class A misdemeanor.

6-47 (h) Before accepting a watcher, the officer presented with a
 6-48 watcher's certificate of appointment shall require the watcher to
 6-49 take the following oath, administered by the officer: "I swear (or
 6-50 affirm) that I will not disrupt the voting process or harass voters
 6-51 in the discharge of my duties."

6-52 SECTION 3.02. Section 33.056, Election Code, is amended by
 6-53 amending Subsection (a) and adding Subsections (e) and (f) to read
 6-54 as follows:

6-55 (a) Except as provided by Section 33.057, a watcher is
 6-56 entitled to observe any activity conducted at the location at which
 6-57 the watcher is serving. A watcher is entitled to sit or stand
 6-58 [conveniently] near enough to see and hear the election officers
 6-59 conducting the observed activity, except as otherwise prohibited by
 6-60 this chapter.

6-61 (e) Except as provided by Section 33.057(b), a watcher may
 6-62 not be denied free movement where election activity is occurring
 6-63 within the location at which the watcher is serving.

6-64 (f) In this code, a watcher who is entitled to "observe" an
 6-65 election activity is entitled to sit or stand near enough to see and
 6-66 hear the activity.

6-67 SECTION 3.03. Subchapter C, Chapter 33, Election Code, is
 6-68 amended by adding Section 33.0605 to read as follows:

6-69 Sec. 33.0605. OBSERVING DATA STORAGE SEALING AND TRANSFER.

7-1 (a) A watcher appointed to serve at a polling place in an election
7-2 who is available at the time of the action may observe all election
7-3 activities relating to closing the polling place, including the
7-4 sealing and transfer of a memory card, flash drive, hard drive, data
7-5 storage device, or other medium now existing or later developed
7-6 used by the voting system equipment.

7-7 (b) Notwithstanding any other provision of this code, a
7-8 watcher duly accepted for service at a polling location is entitled
7-9 to follow the transfer of election materials from the polling place
7-10 at which the watcher was accepted to a regional tabulating center,
7-11 the central counting station, or any other location designated to
7-12 process election materials. The authority responsible for
7-13 administering a regional tabulating center or another location
7-14 where election materials are processed must accept duly appointed
7-15 watchers for service in the same manner a watcher is accepted for
7-16 service under Section 33.051 and must accept the same number of
7-17 watchers that may serve under Section 33.007(a).

7-18 SECTION 3.04. Section 33.061(a), Election Code, is amended
7-19 to read as follows:

7-20 (a) A person commits an offense if the person serves in an
7-21 official capacity at a location at which the presence of watchers is
7-22 authorized and knowingly prevents a watcher from observing an
7-23 activity or procedure the person knows the watcher is entitled to
7-24 observe, including by taking any action to obstruct the view of a
7-25 watcher or distance the watcher from the activity or procedure to be
7-26 observed in a manner that would make observation not reasonably
7-27 effective.

7-28 SECTION 3.05. Subchapter C, Chapter 33, Election Code, is
7-29 amended by adding Section 33.063 to read as follows:

7-30 Sec. 33.063. RELIEF. (a) A watcher, or the appointing
7-31 authority for a watcher, who believes that the watcher was
7-32 unlawfully prevented or obstructed from the performance of the
7-33 watcher's duties may seek:

7-34 (1) injunctive relief under Section 273.081,
7-35 including issuance of temporary orders;

7-36 (2) a writ of mandamus under Section 161.009 or
7-37 273.061; and

7-38 (3) any other remedy available under law.

7-39 (b) The relief provided by this section is available to a
7-40 state inspector appointed under Chapter 34 or any other election
7-41 inspector authorized by law.

7-42 SECTION 3.06. Section 86.006, Election Code, is amended by
7-43 amending Subsection (a) and adding Subsection (a-2) to read as
7-44 follows:

7-45 (a) A marked ballot voted under this chapter must be
7-46 returned to the early voting clerk in the official carrier
7-47 envelope. The carrier envelope may be delivered in another
7-48 envelope and must be transported and delivered only by:

7-49 (1) mail;

7-50 (2) common or contract carrier; or

7-51 (3) subject to Subsections ~~[Subsection]~~ (a-1) and
7-52 (a-2), in-person delivery by the voter who voted the ballot.

7-53 (a-2) An in-person delivery of a marked ballot voted under
7-54 this chapter must be received by an election official at the time of
7-55 delivery. The receiving official shall record the voter's name,
7-56 signature, and type of identification provided under Section
7-57 63.0101 on a roster prescribed by the secretary of state. The
7-58 receiving official shall attest on the roster that the delivery
7-59 complies with this section.

7-60 SECTION 3.07. Chapter 121, Election Code, is amended by
7-61 adding Section 121.004 to read as follows:

7-62 Sec. 121.004. COMMUNICATIONS WITH VOTING SYSTEMS VENDOR
7-63 PUBLIC INFORMATION. Except as provided by Sections 552.110 and
7-64 552.1101, Government Code, a written letter, e-mail, or other
7-65 communication, including a communication made confidential by
7-66 other law, between a public official and a voting systems vendor:

7-67 (1) is not confidential;

7-68 (2) is public information for purposes of Chapter 552,
7-69 Government Code; and

8-1 (3) is not subject to an exception to disclosure
 8-2 provided by Chapter 552, Government Code.

8-3 SECTION 3.08. Subchapter A, Chapter 127, Election Code, is
 8-4 amended by adding Section 127.009 to read as follows:

8-5 Sec. 127.009. ELECTRONIC DEVICES IN CENTRAL COUNTING
 8-6 STATION. (a) A counting station manager and the presiding judge of
 8-7 the counting station shall develop a protocol under which any
 8-8 electronic device inside a central counting station that is
 8-9 necessary to count votes is equipped with software that tracks all
 8-10 input and activity on the electronic device.

8-11 (b) The counting station manager and the presiding judge of
 8-12 the counting station shall ensure that the input and activity
 8-13 tracked by the software is printed and delivered to the secretary of
 8-14 state not later than the fifth day after vote counting is complete.

8-15 (c) This section applies only to a central counting station
 8-16 located in a county with a population of 250,000 or more.

8-17 SECTION 3.09. Section 127.1301, Election Code, is amended
 8-18 to read as follows:

8-19 Sec. 127.1301. [TALLYING, TABULATING, AND REPORTING]
 8-20 CENTRALLY COUNTED OPTICAL SCAN BALLOTS [BALLOT UNDERVOTES AND
 8-21 OVERVOTES]. (a) In an election using centrally counted optical
 8-22 scan ballots, the undervotes and overvotes on those ballots shall
 8-23 be tallied, tabulated, and reported by race and by election
 8-24 precinct in the form and manner prescribed by the secretary of
 8-25 state.

8-26 (b) After January 1, 2024, an authority operating a central
 8-27 counting station under this chapter may not purchase or use a
 8-28 centrally counted optical ballot scan system that uses a data
 8-29 storage disc on which information, once written, is capable of
 8-30 being modified.

8-31 SECTION 3.10. Section 127.131, Election Code, is amended by
 8-32 adding Subsection (f) to read as follows:

8-33 (f) The presiding judge of the central counting station
 8-34 shall provide and attest to a written reconciliation of votes and
 8-35 voters at the close of tabulation for election day and again after
 8-36 the central counting station meets for the last time to process
 8-37 late-arriving ballots by mail and provisional ballots. The
 8-38 secretary of state shall create and promulgate rules and a form to
 8-39 facilitate compliance with this subsection. The form shall be
 8-40 posted on a website maintained by the county along with election
 8-41 returns and results.

8-42 SECTION 3.11. Section 129.023, Election Code, is amended by
 8-43 adding Subsections (b-2) and (c-1) to read as follows:

8-44 (b-2) If the test is being conducted for an election in
 8-45 which a county election board has been established under Section
 8-46 51.002, the general custodian of election records shall notify each
 8-47 member of the board of the test at least 48 hours before the date of
 8-48 the test. If the county election board chooses to witness the test,
 8-49 each member shall sign the statement required by Subsection (e)(1).

8-50 (c-1) A test conducted under this section must also require
 8-51 the general custodian of election records to demonstrate, using a
 8-52 representative sample of voting system equipment, that the source
 8-53 code of the equipment has not been altered.

8-54 ARTICLE 4. VOTING BY MAIL

8-55 SECTION 4.01. Section 84.001(b), Election Code, is amended
 8-56 to read as follows:

8-57 (b) An application must be submitted in writing and signed
 8-58 by the applicant using ink on paper. An electronic signature or
 8-59 photocopied signature is not permitted.

8-60 SECTION 4.02. Subchapter A, Chapter 84, Election Code, is
 8-61 amended by adding Section 84.0011 to read as follows:

8-62 Sec. 84.0011. SOLICITATION OF BALLOT BY MAIL APPLICATIONS
 8-63 PROHIBITED. The early voting clerk may make no attempt to solicit a
 8-64 person to complete an application for an early voting ballot by
 8-65 mail, whether directly or through a third party.

8-66 SECTION 4.03. Section 84.002, Election Code, as effective
 8-67 September 1, 2021, is amended by amending Subsection (a) and adding
 8-68 Subsection (b-1) to read as follows:

8-69 (a) An early voting ballot application must include:

9-1 (1) the applicant's name and the address at which the
 9-2 applicant is registered to vote;
 9-3 (1-a) the following information:
 9-4 (A) the number of the applicant's driver's
 9-5 license or personal identification card issued by the Department of
 9-6 Public Safety;
 9-7 (B) if the applicant has not been issued a number
 9-8 described by Paragraph (A), the last four digits of the applicant's
 9-9 social security number; or
 9-10 (C) a statement by the applicant that the
 9-11 applicant has not been issued a number described by Paragraph (A) or
 9-12 (B);
 9-13 (2) for an application for a ballot to be voted by mail
 9-14 on the ground of absence from the county of residence, the address
 9-15 outside the applicant's county of residence to which the ballot is
 9-16 to be mailed;
 9-17 (3) for an application for a ballot to be voted by mail
 9-18 on the ground of age or disability, the address of the hospital,
 9-19 nursing home or other long-term care facility, or retirement
 9-20 center, or of a person related to the applicant within the second
 9-21 degree by affinity or the third degree by consanguinity, as
 9-22 determined under Chapter 573, Government Code, if the applicant is
 9-23 living at that address and that address is different from the
 9-24 address at which the applicant is registered to vote;
 9-25 (4) for an application for a ballot to be voted by mail
 9-26 on the ground of confinement in jail, the address of the jail or of a
 9-27 person related to the applicant within the degree described by
 9-28 Subdivision (3);
 9-29 (5) for an application for a ballot to be voted by mail
 9-30 on any ground, an indication of each election for which the
 9-31 applicant is applying for a ballot;
 9-32 (6) an indication of the ground of eligibility for
 9-33 early voting; and
 9-34 (7) for an application for a ballot to be voted by mail
 9-35 on the ground of involuntary civil commitment, the address of the
 9-36 facility operated by or under contract with the Texas Civil
 9-37 Commitment Office or of a person related to the applicant within the
 9-38 degree of consanguinity described by Subdivision (3).
 9-39 (b-1) A person may use the number of a driver's license or
 9-40 personal identification card that has expired for the purpose of
 9-41 fulfilling the requirement under Subsection (a)(1-a) if the license
 9-42 or identification is otherwise valid.
 9-43 SECTION 4.04. Section 84.011(a), Election Code, as
 9-44 effective September 1, 2021, is amended to read as follows:
 9-45 (a) The officially prescribed application form for an early
 9-46 voting ballot must include:
 9-47 (1) immediately preceding the signature space the
 9-48 statement: "I certify that the information given in this
 9-49 application is true, and I understand that giving false information
 9-50 in this application is a crime.";
 9-51 (2) a statement informing the applicant of the
 9-52 offenses prescribed by Sections 84.003 and 84.004;
 9-53 (3) spaces for entering an applicant's voter
 9-54 registration number and county election precinct of registration,
 9-55 with a statement informing the applicant that failure to furnish
 9-56 that information does not invalidate the application;
 9-57 (3-a) a space for entering the information required
 9-58 under Section 84.002(a)(1-a); and
 9-59 (4) on an application for a ballot to be voted by mail:
 9-60 (A) a space for an applicant applying on the
 9-61 ground of absence from the county of residence to indicate the date
 9-62 on or after which the applicant can receive mail at the address
 9-63 outside the county;
 9-64 (B) a space for indicating the fact that an
 9-65 applicant whose application is signed by a witness cannot make the
 9-66 applicant's mark and a space for indicating the relationship or
 9-67 lack of relationship of the witness to the applicant;
 9-68 (C) a space for entering an applicant's telephone
 9-69 number, with a statement informing the applicant that failure to

10-1 furnish that information does not invalidate the application;

10-2 (D) a space or box for an applicant applying on

10-3 the ground of age or disability to indicate that the address to

10-4 which the ballot is to be mailed is the address of a facility or

10-5 relative described by Section 84.002(a)(3), if applicable;

10-6 (E) a space or box for an applicant applying on

10-7 the ground of confinement in jail or involuntary civil commitment

10-8 to indicate that the address to which the ballot is to be mailed is

10-9 the address of a relative described by Section 84.002(a)(4) or (7),

10-10 if applicable;

10-11 (F) a space for an applicant applying on the

10-12 ground of age or disability to indicate if the application is an

10-13 application under Section 86.0015;

10-14 (G) spaces for entering the signature, printed

10-15 name, and residence address of any person assisting the applicant;

10-16 (H) a statement informing the applicant of the

10-17 condition prescribed by Section 81.005; and

10-18 (I) a statement informing the applicant of the

10-19 requirement prescribed by Section 86.003(c).

10-20 SECTION 4.05. Subchapter A, Chapter 84, Election Code, is

10-21 amended by adding Section 84.0111 to read as follows:

10-22 Sec. 84.0111. DISTRIBUTION OF APPLICATION FORM. (a)

10-23 Except as provided by Subsection (c) or as otherwise authorized by

10-24 this code, an officer or employee of this state or of a political

10-25 subdivision of this state may not distribute an application form

10-26 for an early voting ballot to a person who did not request an

10-27 application under Section 84.001.

10-28 (b) An officer or employee of this state or of a political

10-29 subdivision of this state may not use public funds to facilitate the

10-30 distribution by another person of an application form for an early

10-31 voting ballot to a person who did not request an application under

10-32 Section 84.001.

10-33 (c) A political party or a candidate for office may

10-34 distribute an application form for an early voting ballot to a

10-35 person who did not request an application under Section 84.001.

10-36 SECTION 4.06. Section 84.032(c), Election Code, is amended

10-37 to read as follows:

10-38 (c) An applicant may submit a request after the close of

10-39 early voting by personal appearance by appearing in person and:

10-40 (1) returning the ballot to be voted by mail to the

10-41 early voting clerk; or

10-42 (2) executing an affidavit that the applicant:

10-43 (A) has not received the ballot to be voted by

10-44 mail; ~~or~~

10-45 (B) never requested a ballot to be voted by mail;

10-46 or

10-47 (C) received notice of a defect under Section

10-48 87.0271(b) or 87.0411(b).

10-49 SECTION 4.07. Section 84.035, Election Code, is amended to

10-50 read as follows:

10-51 Sec. 84.035. BALLOT SENT TO APPLICANT. (a) If the early

10-52 voting clerk cancels an application by an applicant to whom an early

10-53 voting ballot has been sent, the clerk shall:

10-54 (1) remove the applicant's name from the early voting

10-55 roster; and

10-56 (2) make any other entries in the records and take any

10-57 other action necessary to prevent the ballot from being counted if

10-58 returned.

10-59 (b) An election judge may permit a person to whom an early

10-60 voting ballot has been sent who cancels the person's application

10-61 for a ballot to be voted by mail in accordance with Section 84.032

10-62 but fails to return the ballot to be voted by mail to the early

10-63 voting clerk, deputy early voting clerk, or presiding judge as

10-64 provided by that section to vote only a provisional ballot under

10-65 Section 63.011.

10-66 SECTION 4.08. Section 86.001, Election Code, is amended by

10-67 adding Subsection (f) to read as follows:

10-68 (f) If the information required under Section

10-69 84.002(a)(1-a) included on the application does not match the

11-1 information on the applicant's application for voter registration
 11-2 under Section 13.002(c)(8), the clerk shall reject the application.

11-3 SECTION 4.09. Section 86.002, Election Code, is amended by
 11-4 adding Subsections (g), (h), and (i) to read as follows:

11-5 (g) The carrier envelope must include a space that is hidden
 11-6 from view when the envelope is sealed for the voter to enter the
 11-7 following information:

11-8 (1) the number of the voter's driver's license or
 11-9 personal identification card issued by the Department of Public
 11-10 Safety;

11-11 (2) if the voter has not been issued a number described
 11-12 by Subdivision (1), the last four digits of the voter's social
 11-13 security number; or

11-14 (3) a statement by the applicant that the applicant
 11-15 has not been issued a number described by Subdivision (1) or (2).

11-16 (h) A person may use the number of a driver's license or
 11-17 personal identification card that has expired for purposes of
 11-18 Subsection (g) if the license or identification is otherwise valid.

11-19 (i) No record associating an individual voter with a ballot
 11-20 may be created.

11-21 SECTION 4.10. Section 86.011(c), Election Code, is amended
 11-22 to read as follows:

11-23 (c) If the return is not timely, the clerk shall enter the
 11-24 time of receipt on the carrier envelope and retain it in a locked
 11-25 container for the period for preserving the precinct election
 11-26 records. The clerk shall destroy the unopened envelope and its
 11-27 contents after the preservation period.

11-28 SECTION 4.11. Section 87.027(i), Election Code, is amended
 11-29 to read as follows:

11-30 (i) The signature verification committee shall compare the
 11-31 signature on each carrier envelope certificate, except those signed
 11-32 for a voter by a witness, with the signature on the voter's ballot
 11-33 application to determine whether the signatures are those of the
 11-34 voter. The committee may also compare the signatures with any
 11-35 known signature [~~two or more signatures~~] of the voter [~~made within~~
 11-36 ~~the preceding six years and~~] on file with the county clerk or voter
 11-37 registrar to determine whether the signatures are those of the
 11-38 voter. Except as provided by Subsection (l), a determination under
 11-39 this subsection that the signatures are not those of the voter must
 11-40 be made by a majority vote of the committee's membership. The
 11-41 committee shall place the jacket envelopes, carrier envelopes, and
 11-42 applications of voters whose signatures are not those of the voter
 11-43 in separate containers from those of voters whose signatures are
 11-44 those of the voter. The committee chair shall deliver the sorted
 11-45 materials to the early voting ballot board at the time specified by
 11-46 the board's presiding judge.

11-47 SECTION 4.12. Subchapter B, Chapter 87, Election Code, is
 11-48 amended by adding Section 87.0271 to read as follows:

11-49 Sec. 87.0271. OPPORTUNITY TO CORRECT DEFECT: SIGNATURE
 11-50 VERIFICATION COMMITTEE. (a) This section applies to an early
 11-51 voting ballot voted by mail:

11-52 (1) for which the voter did not sign the carrier
 11-53 envelope certificate;

11-54 (2) for which it cannot immediately be determined
 11-55 whether the signature on the carrier envelope certificate is that
 11-56 of the voter;

11-57 (3) missing any required statement of residence; or

11-58 (4) containing incomplete information with respect to
 11-59 a witness.

11-60 (b) Before deciding whether to accept or reject a timely
 11-61 delivered ballot under Section 87.027, the signature verification
 11-62 committee may:

11-63 (1) return the carrier envelope to the voter by mail,
 11-64 if the signature verification committee determines that it would be
 11-65 possible to correct the defect and return the carrier envelope
 11-66 before the time the polls are required to close on election day; or

11-67 (2) notify the voter of the defect by telephone or
 11-68 e-mail and inform the voter that the voter may come to the early
 11-69 voting clerk's office in person to:

12-1 (A) correct the defect; or

12-2 (B) request to have the voter's application to
 12-3 vote by mail canceled under Section 84.032.

12-4 (c) If the signature verification committee takes an action
 12-5 described by Subsection (b), the committee must take either action
 12-6 described by that subsection with respect to each ballot in the
 12-7 election to which this section applies.

12-8 (d) A poll watcher is entitled to observe an action taken
 12-9 under Subsection (b).

12-10 (e) The secretary of state may prescribe any procedures
 12-11 necessary to implement this section.

12-12 SECTION 4.13. Section 87.041, Election Code, is amended by
 12-13 amending Subsections (b) and (e) and adding Subsection (d-1) to
 12-14 read as follows:

12-15 (b) A ballot may be accepted only if:

12-16 (1) the carrier envelope certificate is properly
 12-17 executed;

12-18 (2) neither the voter's signature on the ballot
 12-19 application nor the signature on the carrier envelope certificate
 12-20 is determined to have been executed by a person other than the
 12-21 voter, unless signed by a witness;

12-22 (3) the voter's ballot application states a legal
 12-23 ground for early voting by mail;

12-24 (4) the voter is registered to vote, if registration
 12-25 is required by law;

12-26 (5) the address to which the ballot was mailed to the
 12-27 voter, as indicated by the application, was outside the voter's
 12-28 county of residence, if the ground for early voting is absence from
 12-29 the county of residence;

12-30 (6) for a voter to whom a statement of residence form
 12-31 was required to be sent under Section 86.002(a), the statement of
 12-32 residence is returned in the carrier envelope and indicates that
 12-33 the voter satisfies the residence requirements prescribed by
 12-34 Section 63.0011; ~~and~~

12-35 (7) the address to which the ballot was mailed to the
 12-36 voter is an address that is otherwise required by Sections 84.002
 12-37 and 86.003; and

12-38 (8) the information required under Section 86.002(g)
 12-39 provided by the voter matches the information on the voter's
 12-40 application for voter registration under Section 13.002(c)(8).

12-41 (d-1) If a voter provides the information required under
 12-42 Section 86.002(g) and it matches the information on the voter's
 12-43 application for voter registration under Section 13.002(c)(8), the
 12-44 signature on the ballot application and on the carrier envelope
 12-45 certificate shall be rebuttably presumed to be the signatures of
 12-46 the voter.

12-47 (e) In making the determination under Subsection (b)(2), to
 12-48 determine whether the signatures are those of the voter, the board
 12-49 may also compare the signatures with any known signature ~~[two or~~
 12-50 ~~more signatures]~~ of the voter ~~[made within the preceding six years~~
 12-51 ~~and]~~ on file with the county clerk or voter registrar ~~[to determine~~
 12-52 ~~whether the signatures are those of the voter].~~

12-53 SECTION 4.14. Subchapter C, Chapter 87, Election Code, is
 12-54 amended by adding Section 87.0411 to read as follows:

12-55 Sec. 87.0411. OPPORTUNITY TO CORRECT DEFECT: EARLY VOTING
 12-56 BALLOT BOARD. (a) This section applies to an early voting ballot
 12-57 voted by mail:

12-58 (1) for which the voter did not sign the carrier
 12-59 envelope certificate;

12-60 (2) for which it cannot immediately be determined
 12-61 whether the signature on the carrier envelope certificate is that
 12-62 of the voter;

12-63 (3) missing any required statement of residence; or

12-64 (4) containing incomplete information with respect to
 12-65 a witness.

12-66 (b) Before deciding whether to accept or reject a timely
 12-67 delivered ballot under Section 87.041, the early voting ballot
 12-68 board may:

12-69 (1) return the carrier envelope to the voter by mail,

13-1 if the early voting ballot board determines that it would be
 13-2 possible to correct the defect and return the carrier envelope
 13-3 before the time the polls are required to close on election day; or

13-4 (2) notify the voter of the defect by telephone or
 13-5 e-mail and inform the voter that the voter may come to the early
 13-6 voting clerk's office in person to:

13-7 (A) correct the defect; or
 13-8 (B) request to have the voter's application to
 13-9 vote by mail canceled under Section 84.032.

13-10 (c) If the early voting ballot board takes an action
 13-11 described by Subsection (b), the board must take either action
 13-12 described by that subsection with respect to each ballot in the
 13-13 election to which this section applies.

13-14 (d) A poll watcher is entitled to observe an action taken
 13-15 under Subsection (b).

13-16 (e) The secretary of state may prescribe any procedures
 13-17 necessary to implement this section.

13-18 SECTION 4.15. Section 87.0431(b), Election Code, is amended
 13-19 to read as follows:

13-20 (b) The early voting clerk shall, not later than the 30th
 13-21 day after election day, deliver notice to the attorney general,
 13-22 including certified copies of the carrier envelope and
 13-23 corresponding ballot application, of any ballot rejected because:

13-24 (1) the voter was deceased;
 13-25 (2) the voter already voted in person in the same
 13-26 election;

13-27 (3) the signatures on the carrier envelope and ballot
 13-28 application were not executed by the same person;

13-29 (4) the carrier envelope certificate lacked a witness
 13-30 signature; ~~or~~

13-31 (5) the carrier envelope certificate was improperly
 13-32 executed by an assistant; or

13-33 (6) the early voting ballot board or the signature
 13-34 verification committee determined that another violation of the
 13-35 Election Code occurred.

13-36 SECTION 4.16. Sections 87.062(a) and (c), Election Code,
 13-37 are amended to read as follows:

13-38 (a) On the direction of the presiding judge, the early
 13-39 voting ballot board, in accordance with Section 85.032(b), shall
 13-40 open the containers ~~[container]~~ for the early voting ballots that
 13-41 are to be counted by the board, remove the contents from each ~~[the]~~
 13-42 container, and remove any ballots enclosed in ballot envelopes from
 13-43 their envelopes.

13-44 (c) Ballots voted by mail shall be tabulated and stored
 13-45 separately from the ballots voted by personal appearance and shall
 13-46 be separately reported on the returns ~~[The results of all early~~
 13-47 ~~voting ballots counted by the board under this subchapter shall be~~
 13-48 ~~included in the same return].~~

13-49 SECTION 4.17. Section 87.103, Election Code, is amended to
 13-50 read as follows:

13-51 Sec. 87.103. COUNTING BALLOTS AND PREPARING RETURNS. (a)
 13-52 The early voting electronic system ballots counted at a central
 13-53 counting station, the ballots cast at precinct polling places, and
 13-54 the ballots voted by mail shall be tabulated separately ~~[from the~~
 13-55 ~~ballots cast at precinct polling places]~~ and shall be separately
 13-56 reported on the returns.

13-57 (b) The early voting returns prepared at the central
 13-58 counting station must include any early voting results obtained by
 13-59 the early voting ballot board under Subchapter ~~[Subchapters]~~ D ~~[and~~
 13-60 ~~E]~~.

13-61 SECTION 4.18. Section 87.126, Election Code, is amended by
 13-62 adding Subsection (a-1) to read as follows:

13-63 (a-1) Electronic records made under this section shall
 13-64 record both sides of any application, envelope, or ballot recorded,
 13-65 and all such records shall be provided to the early voting ballot
 13-66 board, the signature verification committee, or both.

13-67 SECTION 4.19. Subchapter G, Chapter 87, Election Code, is
 13-68 amended by adding Section 87.128 to read as follows:

13-69 Sec. 87.128. NOTES. Each member of an early voting ballot

14-1 board and each member of a signature verification committee is
 14-2 entitled to take and keep any notes reasonably necessary to perform
 14-3 the member's duties under this chapter.

14-4 ARTICLE 5. ASSISTANCE OF VOTERS

14-5 SECTION 5.01. Section 64.009, Election Code, is amended by
 14-6 amending Subsection (b) and adding Subsections (b-1), (e), (f),
 14-7 (f-1), (g), and (h) to read as follows:

14-8 (b) The regular voting procedures, except those in
 14-9 Subchapter B, may be modified by the election officer to the extent
 14-10 necessary to conduct voting under this section.

14-11 (b-1) A person other than a voter is only permitted to be
 14-12 inside a motor vehicle while a voter votes from the motor vehicle if
 14-13 the person would be entitled to accompany the voter to the voting
 14-14 station under other law.

14-15 (e) Except as provided by Section 33.057, a poll watcher is
 14-16 entitled to observe any activity conducted under this section.

14-17 (f) A person who simultaneously assists three or more voters
 14-18 voting under this section by providing the voters with
 14-19 transportation to the polling place must complete and sign a form,
 14-20 provided by an election officer, that contains the person's name
 14-21 and address and whether the person is providing assistance solely
 14-22 under this section or under both this section and Subchapter B.

14-23 (f-1) Subsection (f) does not apply if the person is related
 14-24 to each voter within the second degree by affinity or the third
 14-25 degree by consanguinity, as determined under Subchapter B, Chapter
 14-26 573, Government Code.

14-27 (g) A form completed under Subsection (f) shall be delivered
 14-28 to the secretary of state as soon as practicable. The secretary
 14-29 shall retain a form delivered under this section for the period for
 14-30 preserving the precinct election records and shall make the form
 14-31 available to the attorney general for inspection upon request.

14-32 (h) The secretary of state shall prescribe the form
 14-33 described by Subsection (f).

14-34 SECTION 5.02. Section 64.031, Election Code, is amended to
 14-35 read as follows:

14-36 Sec. 64.031. ELIGIBILITY FOR ASSISTANCE. A voter is
 14-37 eligible to receive assistance in marking or reading the ballot, as
 14-38 provided by this subchapter, if the voter cannot prepare or read the
 14-39 ballot because of:

14-40 (1) a physical disability that renders the voter
 14-41 unable to write or see; or

14-42 (2) an inability to read the language in which the
 14-43 ballot is written.

14-44 SECTION 5.03. Subchapter B, Chapter 64, Election Code, is
 14-45 amended by adding Section 64.0322 to read as follows:

14-46 Sec. 64.0322. SUBMISSION OF FORM BY ASSISTANT. (a) A
 14-47 person, other than an election officer, who assists a voter in
 14-48 accordance with this chapter is required to complete a form
 14-49 stating:

14-50 (1) the name and address of the person assisting the
 14-51 voter;

14-52 (2) the relationship to the voter of the person
 14-53 assisting the voter; and

14-54 (3) whether the person assisting the voter received or
 14-55 accepted any form of compensation or other benefit from a
 14-56 candidate, campaign, or political committee.

14-57 (b) The secretary of state shall prescribe the form required
 14-58 by this section. The form must be incorporated into the official
 14-59 carrier envelope if the voter is voting an early voting ballot by
 14-60 mail and receives assistance under Section 86.010, or must be
 14-61 submitted to an election officer at the time the voter casts a
 14-62 ballot if the voter is voting at a polling place or under Section
 14-63 64.009.

14-64 SECTION 5.04. Section 64.034, Election Code, is amended to
 14-65 read as follows:

14-66 Sec. 64.034. OATH. A person, other than an election
 14-67 officer, selected to provide assistance to a voter must take the
 14-68 following oath, administered by an election officer at the polling
 14-69 place, before providing assistance:

15-1 "I swear (or affirm) under penalty of perjury that the voter I
 15-2 am assisting represented to me they are eligible to receive
 15-3 assistance because of a physical disability that renders the voter
 15-4 unable to write or see or an inability to read the language in which
 15-5 the ballot is written; I will not suggest, by word, sign, or
 15-6 gesture, how the voter should vote; I will confine my assistance to
 15-7 reading the ballot to the voter, directing the voter to read the
 15-8 ballot, marking the voter's ballot, or directing the voter to mark
 15-9 the ballot; [~~answering the voter's questions, to stating~~
 15-10 ~~propositions on the ballot, and to naming candidates and, if~~
 15-11 ~~listed, their political parties;]~~ I will prepare the voter's ballot
 15-12 as the voter directs; I did not encourage, pressure, or coerce the
 15-13 voter into choosing me to provide assistance; [~~and~~] I am not the
 15-14 voter's employer, an agent of the voter's employer, or an officer or
 15-15 agent of a labor union to which the voter belongs; I will not
 15-16 communicate information about how the voter has voted to another
 15-17 person; and I understand that if assistance is provided to a voter
 15-18 who is not eligible for assistance, the voter's ballot may not be
 15-19 counted."

15-20 SECTION 5.05. Sections 86.010(e), (h), and (i), Election
 15-21 Code, are amended to read as follows:

15-22 (e) A person who assists a voter to prepare a ballot to be
 15-23 voted by mail shall enter on the official carrier envelope of the
 15-24 voter:

15-25 (1) the person's signature, printed name, and
 15-26 residence address;

15-27 (2) the relationship of the person providing the
 15-28 assistance to the voter; and

15-29 (3) whether the person received or accepted any form
 15-30 of compensation or other benefit from a candidate, campaign, or
 15-31 political committee in exchange for providing assistance [~~on the~~
 15-32 ~~official carrier envelope of the voter~~].

15-33 (h) Subsection (f) does not apply to:

15-34 (1) a violation of Subsection (c), if the person is
 15-35 related to the voter within the second degree by affinity or the
 15-36 third degree by consanguinity, as determined under Subchapter B,
 15-37 Chapter 573, Government Code, or was physically living in the same
 15-38 dwelling as the voter at the time of the event; or

15-39 (2) a violation of Subsection (e), if the person is
 15-40 related to the voter within the second degree by affinity or the
 15-41 third degree by consanguinity, as determined under Subchapter B,
 15-42 Chapter 573, Government Code.

15-43 (i) An offense under this section for a violation of
 15-44 Subsection (c) is increased to the next higher category of offense
 15-45 if it is shown on the trial of an offense under this section that:

15-46 (1) the defendant was previously convicted of an
 15-47 offense under this code;

15-48 (2) the offense involved a voter 65 years of age or
 15-49 older; or

15-50 (3) the defendant committed another offense under this
 15-51 section in the same election.

15-52 SECTION 5.06. Section 86.013(b), Election Code, is amended
 15-53 to read as follows:

15-54 (b) Spaces must appear on the reverse side of the official
 15-55 carrier envelope for:

15-56 (1) indicating the identity and date of the election;
 15-57 [~~and~~]

15-58 (2) entering the signature, printed name, and
 15-59 residence address of a person other than the voter who deposits the
 15-60 carrier envelope in the mail or with a common or contract carrier;
 15-61 and

15-62 (3) indicating the relationship of that person to the
 15-63 voter.

15-64 ARTICLE 6. FRAUD AND OTHER UNLAWFUL PRACTICES

15-65 SECTION 6.01. Chapter 63, Election Code, is amended by
 15-66 adding Section 63.0111 to read as follows:

15-67 Sec. 63.0111. OFFENSES RELATED TO PROVISIONAL VOTING. (a)
 15-68 An election judge commits an offense if the judge knowingly
 15-69 provides a voter with a form for an affidavit required by Section

16-1 63.001 if the form contains information that the judge entered on
 16-2 the form knowing it was false.

16-3 (b) An offense under this section is a state jail felony.

16-4 SECTION 6.02. Sections 276.004(a) and (b), Election Code,
 16-5 are amended to read as follows:

16-6 (a) A person commits an offense if, with respect to another
 16-7 person over whom the person has authority in the scope of
 16-8 employment, the person knowingly:

16-9 (1) refuses to permit the other person to be absent
 16-10 from work on election day or while early voting is in progress for
 16-11 the purpose of attending the polls to vote; or

16-12 (2) subjects or threatens to subject the other person
 16-13 to a penalty for attending the polls on election day or while early
 16-14 voting is in progress to vote.

16-15 (b) It is an exception to the application of this section
 16-16 that the person's conduct occurs in connection with an election in
 16-17 which the polls are open on election day or while early voting is in
 16-18 progress for voting for two consecutive hours outside of the
 16-19 voter's working hours.

16-20 SECTION 6.03. Chapter 276, Election Code, is amended by
 16-21 adding Sections 276.015, 276.016, and 276.017 to read as follows:

16-22 Sec. 276.015. VOTE HARVESTING. (a) In this section and in
 16-23 Section 276.016:

16-24 (1) "Benefit" means anything reasonably regarded as a
 16-25 gain or advantage, including a promise or offer of employment, a
 16-26 political favor, or an official act of discretion, whether to a
 16-27 person or another party whose welfare is of interest to the person.

16-28 (2) "Vote harvesting services" means in-person
 16-29 interaction with one or more voters, involving an official ballot,
 16-30 a ballot voted by mail, or an application for ballot by mail,
 16-31 intended to deliver votes for a specific candidate or measure.

16-32 (b) A person commits an offense if the person, directly or
 16-33 through a third party, knowingly provides or offers to provide vote
 16-34 harvesting services in exchange for compensation or other benefit.

16-35 (c) A person commits an offense if the person, directly or
 16-36 through a third party, knowingly provides or offers to provide
 16-37 compensation or other benefit to another person in exchange for
 16-38 vote harvesting services.

16-39 (d) A person commits an offense if the person knowingly
 16-40 collects or possesses a mail ballot or official carrier envelope in
 16-41 connection with vote harvesting services.

16-42 (e) This section does not apply to:

16-43 (1) an activity not performed in exchange for
 16-44 compensation or a benefit;

16-45 (2) interactions that do not directly involve an
 16-46 official ballot, ballot by mail, or an application for ballot by
 16-47 mail;

16-48 (3) interactions that are not conducted in-person with
 16-49 a voter; or

16-50 (4) activity that is not designed to deliver votes for
 16-51 or against a specific candidate or measure.

16-52 (f) In this section, compensation in exchange for vote
 16-53 harvesting services is inferred if a person who performed vote
 16-54 harvesting services for a candidate or campaign solicits, receives,
 16-55 or is offered compensation from the candidate or campaign, directly
 16-56 or through a third party, for services other than vote harvesting
 16-57 services provided.

16-58 (g) An offense under this section is a felony of the third
 16-59 degree.

16-60 (h) If conduct that constitutes an offense under this
 16-61 section also constitutes an offense under any other law, the actor
 16-62 may be prosecuted under this section, the other law, or both.

16-63 (i) Records necessary to investigate an offense under this
 16-64 section or any other section of this code shall be provided by an
 16-65 election officer in an unredacted form to a law enforcement officer
 16-66 upon request. Records obtained under this subsection are not
 16-67 subject to public disclosure.

16-68 Sec. 276.016. CIVIL LIABILITY FOR VOTE HARVESTING. (a) A
 16-69 person who is shown by a preponderance of the evidence to have

17-1 violated Section 276.015 is civilly liable to any candidate or
 17-2 political party who suffers harm from the vote harvesting services
 17-3 for damages and penalties that may be awarded under Subsection (c).

17-4 (b) A person is harmed by the vote harvesting services if
 17-5 the person can demonstrate that:

17-6 (1) the person has standing to seek relief; and

17-7 (2) the liable party violated Section 276.015.

17-8 (b-1) To establish standing under this section, a person is
 17-9 not required to demonstrate that the vote harvesting services
 17-10 successfully delivered votes for a specific candidate or measure,
 17-11 but must demonstrate that:

17-12 (1) the vote harvesting services were intended to
 17-13 deliver votes for a specific candidate or measure; and

17-14 (2) the person opposed the candidate or measure in the
 17-15 person's capacity as a candidate or political party.

17-16 (c) A party who prevails in an action under this section may
 17-17 recover damages in an amount including any or all of:

17-18 (1) the amount of compensation paid to or received by a
 17-19 party in exchange for vote harvesting services;

17-20 (2) the fair market value of any benefit given or
 17-21 received in exchange for vote harvesting services;

17-22 (3) a penalty in the amount of \$35,000; or

17-23 (4) reasonable and necessary attorney's fees, court
 17-24 costs, witness fees, and discovery costs.

17-25 (d) A party who is a candidate for office who prevails in an
 17-26 action under this section and shows that the number of voters
 17-27 contacted by the vote harvesting activity exceeds the number of
 17-28 votes by which the party lost the election shall recover damages in
 17-29 an amount including any or all of:

17-30 (1) the party's campaign expenditures properly filed
 17-31 on a campaign finance report in connection with the election; or

17-32 (2) any fees and expenses incurred by the party in
 17-33 filing and securing a place on the ballot.

17-34 (e) A person who commits an offense under Section 276.015
 17-35 and is found civilly liable, including by vicarious liability,
 17-36 under this chapter or other law for any amount of damages arising
 17-37 from the vote harvesting services is jointly liable with any other
 17-38 defendant for the entire amount of damages arising from the vote
 17-39 harvesting services.

17-40 (f) The cause of action created by this section is
 17-41 cumulative of any other remedy provided by common law or statute.

17-42 (g) Rules applicable to a party's access to election records
 17-43 under Chapter 231 or 232 apply to a cause of action under this
 17-44 section.

17-45 (h) The expedited actions process created by Rule 169, Texas
 17-46 Rules of Civil Procedure, does not apply to an action under this
 17-47 section.

17-48 (i) Chapter 27, Civil Practice and Remedies Code, does not
 17-49 apply to a cause of action under this section.

17-50 (j) A cause of action under this section may be brought in
 17-51 the county where any element of a violation under Section 276.015
 17-52 occurred, or where any part of the vote harvesting services
 17-53 occurred.

17-54 (k) This section shall be liberally construed and applied to
 17-55 promote its underlying purpose to protect candidates and the voting
 17-56 public from unlawful vote harvesting and provide an efficient and
 17-57 economical remedy to secure that protection.

17-58 Sec. 276.017. UNLAWFUL ALTERING OF ELECTION PROCEDURES. A
 17-59 public official may not create, alter, modify, waive, or suspend
 17-60 any election standard, practice, or procedure mandated by law or
 17-61 rule in a manner not expressly authorized by this code.

ARTICLE 7. ENFORCEMENT

17-63 SECTION 7.01. Section 18.065, Election Code, is amended by
 17-64 amending Subsection (a) and adding Subsections (e), (f), and (g) to
 17-65 read as follows:

17-66 (a) The secretary of state shall monitor each registrar for
 17-67 substantial compliance with Sections 15.083, 16.032, 16.0332, and
 17-68 18.061 and with rules implementing the statewide computerized voter
 17-69 registration list.

18-1 (e) A registrar shall correct a violation within 30 days of
 18-2 a notice under Subsection (b). If a registrar fails to correct the
 18-3 violation within 30 days of a notice under Subsection (b), the
 18-4 secretary of state shall:

18-5 (1) correct the violation on behalf of the registrar;
 18-6 and

18-7 (2) notify the attorney general that the registrar
 18-8 failed to correct a violation under this subsection.

18-9 (f) A county served by a registrar who fails to correct a
 18-10 violation under Subsection (e) is liable to this state for a civil
 18-11 penalty of \$1,000 for each violation corrected by the secretary of
 18-12 state under that subsection. The attorney general may bring an
 18-13 action to recover a civil penalty imposed under this section.

18-14 (g) A civil penalty collected by the attorney general under
 18-15 this section shall be deposited in the state treasury to the credit
 18-16 of the general revenue fund.

18-17 SECTION 7.02. Subchapter E, Chapter 31, Election Code, is
 18-18 amended by adding Sections 31.128 and 31.129 to read as follows:

18-19 Sec. 31.128. RESTRICTION ON ELIGIBILITY. (a) In this
 18-20 section, "election official" means:

18-21 (1) a county clerk;

18-22 (2) a permanent or temporary deputy county clerk;

18-23 (3) an elections administrator;

18-24 (4) a permanent or temporary employee of an elections
 18-25 administrator;

18-26 (5) an election judge;

18-27 (6) an alternate election judge;

18-28 (7) an early voting clerk;

18-29 (8) a deputy early voting clerk;

18-30 (9) an election clerk;

18-31 (10) the presiding judge of an early voting ballot
 18-32 board;

18-33 (11) the alternate presiding judge of an early voting
 18-34 ballot board;

18-35 (12) a member of an early voting ballot board;

18-36 (13) the chair of a signature verification committee;

18-37 (14) the vice chair of a signature verification
 18-38 committee;

18-39 (15) a member of a signature verification committee;

18-40 (16) the presiding judge of a central counting
 18-41 station;

18-42 (17) the alternate presiding judge of a central
 18-43 counting station;

18-44 (18) a central counting station manager;

18-45 (19) a central counting station clerk;

18-46 (20) a tabulation supervisor; and

18-47 (21) an assistant to a tabulation supervisor.

18-48 (b) A person may not serve as an election official if the
 18-49 person has been finally convicted of an offense under this code.

18-50 Sec. 31.129. CIVIL PENALTY. (a) In this section, "election
 18-51 official" has the meaning assigned by Section 31.128.

18-52 (b) An election official may be liable to this state for a
 18-53 civil penalty if the official:

18-54 (1) is employed by or is an officer of this state or a
 18-55 political subdivision of this state; and

18-56 (2) violates a provision of this code.

18-57 (c) A civil penalty imposed under this section may include
 18-58 termination of the person's employment and loss of the person's
 18-59 employment benefits.

18-60 SECTION 7.03. Section 232.006(a), Election Code, is amended
 18-61 to read as follows:

18-62 (a) The venue of an election contest for a statewide office
 18-63 is in Travis County or any county where a contestee resided at the
 18-64 time of the election. For purposes of this section, a contestee's
 18-65 residence is determined under Section 411.0257, Government Code.

18-66 SECTION 7.04. Sections 232.008(b), (c), and (d), Election
 18-67 Code, are amended to read as follows:

18-68 (b) Except as provided by Subsection (c), a contestant must
 18-69 file the petition not later than the later of the 45th [30th] day

19-1 after the date the election records are publicly available under
 19-2 Section 1.012 or the official result of the contested election is
 19-3 determined.

19-4 (c) A contestant must file the petition not later than the
 19-5 later of the 15th [~~10th~~] day after the date the election records are
 19-6 publicly available under Section 1.012 or the official result is
 19-7 determined in a contest of:

19-8 (1) a primary or runoff primary election; or

19-9 (2) a general or special election for which a runoff is
 19-10 necessary according to the official result or will be necessary if
 19-11 the contestant prevails.

19-12 (d) A contestant must deliver, electronically or otherwise,
 19-13 a copy of the petition to the secretary of state by the same
 19-14 deadline prescribed for the filing of the petition.

19-15 SECTION 7.05. Chapter 232, Election Code, is amended by
 19-16 adding Subchapter C to read as follows:

19-17 SUBCHAPTER C. CONTEST INVOLVING ALLEGED FRAUD

19-18 Sec. 232.061. PETITION ALLEGING FRAUD. This subchapter
 19-19 applies to an election contest in which the contestant alleges in
 19-20 the petition that an opposing candidate, an agent of the opposing
 19-21 candidate, or a person acting on behalf of the opposing candidate
 19-22 with the candidate's knowledge violated any of the following
 19-23 sections of this code:

19-24 (1) Section 13.007;

19-25 (2) Section 64.012;

19-26 (3) Section 64.036;

19-27 (4) Section 84.003;

19-28 (5) Section 84.0041;

19-29 (6) Section 86.0051;

19-30 (7) Section 86.006;

19-31 (8) Section 86.010; or

19-32 (9) Section 276.013.

19-33 Sec. 232.062. DAMAGES. (a) If it is shown by a
 19-34 preponderance of the evidence that a contestee, an agent of the
 19-35 contestee, or a person acting on behalf of the contestee with the
 19-36 contestee's knowledge committed one or more violations of a section
 19-37 described by Section 232.061, the contestee is liable to the
 19-38 contestant for damages in an amount of \$1,000 for each violation.

19-39 (b) Notwithstanding Section 41.004(a), Civil Practice and
 19-40 Remedies Code, a court shall award damages under Subsection (a) to
 19-41 the contestant irrespective of whether the contestant is awarded
 19-42 actual damages.

19-43 Sec. 232.063. ATTORNEY'S FEES. In an election contest to
 19-44 which this subchapter applies, the court may award reasonable
 19-45 attorney's fees to the prevailing party.

19-46 SECTION 7.06. Section 273.061, Election Code, is amended to
 19-47 read as follows:

19-48 Sec. 273.061. JURISDICTION. (a) The supreme court or a
 19-49 court of appeals may issue a writ of mandamus to compel the
 19-50 performance of any duty imposed by law in connection with the
 19-51 holding of an election or a political party convention, regardless
 19-52 of whether the person responsible for performing the duty is a
 19-53 public officer.

19-54 (b) The court of criminal appeals may issue a writ of
 19-55 mandamus to compel the performance of any duty imposed by law in
 19-56 connection with the provision, sequestration, transfer, or
 19-57 impoundment of evidence in or records relating to a criminal
 19-58 investigation conducted under this code or conducted in connection
 19-59 with the conduct of an election or political party convention. If a
 19-60 writ of mandamus is issued under this subsection, it shall include
 19-61 an order requiring the provision, sequestration, transfer, or
 19-62 impoundment of the evidence or record.

19-63 SECTION 7.07. Subchapter D, Chapter 22, Government Code, is
 19-64 amended by adding Section 22.304 to read as follows:

19-65 Sec. 22.304. PRIORITY OF CERTAIN ELECTION PROCEEDINGS. (a)
 19-66 The supreme court, the court of criminal appeals, or a court of
 19-67 appeals shall prioritize over any other proceeding pending or filed
 19-68 in the court a proceeding for injunctive relief or for a writ of
 19-69 mandamus under Chapter 273, Election Code, pending or filed in the

20-1 court on or after the 120th day before a general or special
 20-2 election.

20-3 (b) If granted, oral argument for a proceeding described by
 20-4 Subsection (a) may be given in person or through electronic means.

20-5 SECTION 7.08. Section 23.101, Government Code, is amended
 20-6 by amending Subsection (a) and adding Subsection (b-1) to read as
 20-7 follows:

20-8 (a) Except as provided by Subsection (b-1), the [The] trial
 20-9 courts of this state shall regularly and frequently set hearings
 20-10 and trials of pending matters, giving preference to hearings and
 20-11 trials of the following:

20-12 (1) temporary injunctions;

20-13 (2) criminal actions, with the following actions given
 20-14 preference over other criminal actions:

20-15 (A) criminal actions against defendants who are
 20-16 detained in jail pending trial;

20-17 (B) criminal actions involving a charge that a
 20-18 person committed an act of family violence, as defined by Section
 20-19 71.004, Family Code;

20-20 (C) an offense under:

20-21 (i) Section 21.02 or 21.11, Penal Code;

20-22 (ii) Chapter 22, Penal Code, if the victim
 20-23 of the alleged offense is younger than 17 years of age;

20-24 (iii) Section 25.02, Penal Code, if the
 20-25 victim of the alleged offense is younger than 17 years of age;

20-26 (iv) Section 25.06, Penal Code;

20-27 (v) Section 43.25, Penal Code; or

20-28 (vi) Section 20A.02(a)(7), 20A.02(a)(8),
 20-29 or 20A.03, Penal Code;

20-30 (D) an offense described by Article 62.001(6)(C)
 20-31 or (D), Code of Criminal Procedure; and

20-32 (E) criminal actions against persons who are
 20-33 detained as provided by Section 51.12, Family Code, after transfer
 20-34 for prosecution in criminal court under Section 54.02, Family Code;

20-35 (3) election contests and suits under the Election
 20-36 Code;

20-37 (4) orders for the protection of the family under
 20-38 Subtitle B, Title 4, Family Code;

20-39 (5) appeals of final rulings and decisions of the
 20-40 division of workers' compensation of the Texas Department of
 20-41 Insurance regarding workers' compensation claims and claims under
 20-42 the Federal Employers' Liability Act and the Jones Act;

20-43 (6) appeals of final orders of the commissioner of the
 20-44 General Land Office under Section 51.3021, Natural Resources Code;

20-45 (7) actions in which the claimant has been diagnosed
 20-46 with malignant mesothelioma, other malignant asbestos-related
 20-47 cancer, malignant silica-related cancer, or acute silicosis; and

20-48 (8) appeals brought under Section 42.01 or 42.015, Tax
 20-49 Code, of orders of appraisal review boards of appraisal districts
 20-50 established for counties with a population of less than 175,000.

20-51 (b-1) Except for a criminal case in which the death penalty
 20-52 has been or may be assessed or when it would otherwise interfere
 20-53 with a constitutional right, the trial courts of this state shall
 20-54 prioritize over any other proceeding pending or filed in the court a
 20-55 proceeding for injunctive relief under Chapter 273, Election Code,
 20-56 pending or filed in the court on or after the 120th day before a
 20-57 general or special election.

20-58 ARTICLE 8. INELIGIBLE VOTERS AND RELATED REFORMS

20-59 SECTION 8.01. Chapter 42, Code of Criminal Procedure, is
 20-60 amended by adding Article 42.0194 to read as follows:

20-61 Art. 42.0194. FINDING REGARDING FELONY CONVICTION. In the
 20-62 trial of a felony offense, if the defendant is 18 years of age or
 20-63 older and is adjudged guilty of the offense, the court shall:

20-64 (1) make an affirmative finding that the person has
 20-65 been found guilty of a felony and enter the affirmative finding in
 20-66 the judgment of the case; and

20-67 (2) instruct the defendant regarding how the felony
 20-68 conviction will impact the defendant's right to vote in this state.

20-69 SECTION 8.02. Article 42.01, Code of Criminal Procedure, as

21-1 effective September 1, 2021, is amended by adding Section 16 to read
21-2 as follows:

21-3 Sec. 16. In addition to the information described by
21-4 Section 1, the judgment should reflect the affirmative finding and
21-5 instruction entered pursuant to Article 42.0194.

21-6 ARTICLE 9. REPEALER; SEVERABILITY; TRANSITION; EFFECTIVE DATE

21-7 SECTION 9.01. The following provisions of the Election Code
21-8 are repealed:

21-9 (1) Section 85.062(e); and

21-10 (2) Section 127.201(f).

21-11 SECTION 9.02. If any provision of this Act or its
21-12 application to any person or circumstance is held invalid, the
21-13 invalidity does not affect other provisions or applications of this
21-14 Act that can be given effect without the invalid provision or
21-15 application, and to this end the provisions of this Act are declared
21-16 to be severable.

21-17 SECTION 9.03. (a) Except as otherwise provided by this Act,
21-18 the changes in law made by this Act apply only to an offense
21-19 committed on or after the effective date of this Act. An offense
21-20 committed before the effective date of this Act is governed by the
21-21 law in effect when the offense was committed, and the former law is
21-22 continued in effect for that purpose. For purposes of this section,
21-23 an offense was committed before the effective date of this Act if
21-24 any element of the offense occurred before that date.

21-25 (b) The changes in law made by this Act apply only to an
21-26 election ordered on or after the effective date of this Act. An
21-27 election ordered before the effective date of this Act is governed
21-28 by the law in effect when the election was ordered, and the former
21-29 law is continued in effect for that purpose.

21-30 (c) The changes in law made by this Act apply only to an
21-31 election contest for which the associated election occurred after
21-32 the effective date of this Act.

21-33 (d) The changes in law made by this Act apply only to an
21-34 application to vote an early voting ballot by mail submitted on or
21-35 after the effective date of this Act. An application to vote an
21-36 early voting ballot by mail submitted before the effective date of
21-37 this Act is governed by the law in effect when the application was
21-38 submitted, and the former law is continued in effect for that
21-39 purpose.

21-40 (e) The changes in law made by this Act apply only to an
21-41 application for voter registration submitted on or after the
21-42 effective date of this Act.

21-43 SECTION 9.04. This Act takes effect immediately if it
21-44 receives a vote of two-thirds of all the members elected to each
21-45 house, as provided by Section 39, Article III, Texas Constitution.
21-46 If this Act does not receive the vote necessary for immediate
21-47 effect, this Act takes effect on the 91st day after the last day of
21-48 the legislative session.

21-49

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