

By: Paxton

S.B. No. 63

A BILL TO BE ENTITLED

AN ACT

relating to the signing of ballots by deputy early voting clerks.

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

SECTION 1. Section 85.0311, Election Code, is amended to read as follows:

Sec. 85.0311. DEPUTY EARLY VOTING CLERK TO SIGN BALLOTS.

(a) The deputy early voting clerk's signature or initials shall be placed on the back of each ballot to be used at the polling place where the deputy early voting clerk accepts voters voting by personal appearance.

(b) The deputy early voting clerk at a polling place shall enter the signature or initials of the deputy early voting clerk on each ballot [~~or a deputy early voting clerk shall stamp a facsimile of the initials on each ballot~~].

(c) The signing of ballots under this section need not be completed before the polls open, but an unsigned ballot may not be made available for selection by a voter.

(d) The duties of a deputy early voting clerk and the placement of a signature or initials required by this section may not be satisfied using automation of any type.

(e) The secretary of state may not adopt a rule modifying or waiving the requirements of this section.

SECTION 2. Subchapter A, Chapter 213, Election Code, is amended by adding Section 213.017 to read as follows:

1        Sec. 213.017. RECOUNT OF CERTAIN BALLOTS. During a  
2 recount, ballots that do not comply with the requirements of  
3 Section [85.0311](#) shall be counted separately.

4        SECTION 3. This Act takes effect on the 91st day after the  
5 last day of the legislative session.