

All Published Pre-filed Amendments for SB 1

Murr

Amendment

871935

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HOUSE OF REPRESENTATIVES



871935

FLOOR AMENDMENT NO. _____

BY: Murr

1 Amend C.S.S.B. No. 1 (house committee printing) as follows:

2 (1) On page 2, line 22, strike "strictly construe" and
3 substitute "interpret".

4 (2) On page 3, line 6, strike "Subsection (c)" and substitute
5 "Subsections (c) (3), (4), (5), (6), and (8)"

6 (3) On page 3, line 24, strike "original".

7 (4) On page 4, line 12, strike "either".

8 (5) On page 7, line 4, strike "CLOSING POLLING PLACE" and
9 substitute "POLLING PLACE CHECKLISTS".

10 (6) On page 7, line 7, between "the" and "closing", insert
11 "opening and".

12 (7) On page 11, strike lines 15 through 21 and substitute
13 the following:

14 (g) A presiding judge may not have a watcher duly accepted
15 for service under Subchapter A, Chapter 33, removed from the
16 polling place for violating a provision of this code or any other
17 provision of law relating to the conduct of elections, other than
18 a violation of the Penal Code, unless the violation was observed
19 by an election judge or clerk.

20 (8) Add the following appropriately numbered SECTION to
21 ARTICLE 4 of the bill and renumber subsequent SECTIONS of ARTICLE
22 4 accordingly:

23 SECTION 4.____. Subchapter A, Chapter 33, Election Code, is
24 amended by adding Section 33.0016 to read as follows:

25 Sec. 33.0016. REFERENCES TO EARLY VOTING BALLOT BOARD IN

1 THIS CHAPTER. A reference in this chapter to an early voting
2 ballot board includes a signature verification committee.

3 (9) On page 12, line 18, strike "Class B" and substitute
4 "Class A".

5 (10) On page 16, line 24, strike "(d)" and substitute "(b-
6 1)".

7 (11) On page 17, line 3, strike "license" and substitute
8 "license, election identification certificate,".

9 (12) On page 18, line 10, strike "(d)" and substitute "(b-
10 1)".

11 (13) On page 18, line 10, strike "license" and substitute
12 "license, election identification certificate,".

13 (14) On page 20, strike line 18 and substitute the following:
14 87.0271(b) or (c) or 87.0411(b) or (c).

15 (15) On page 20, line 20, strike "Subsection (f)" and
16 substitute "Subsections (f), (f-1), and (f-2)".

17 (16) On page 20, strike lines 21 through 24 and substitute
18 the following:

19 (f) If the information required under Section 84.002(a)(1-
20 a) included on the application does not identify the same voter
21 identified on the applicant's application for voter registration
22 under Section 13.002(c)(8), the clerk shall reject the
23 application.

24 (f-1) If an application is rejected under Subsection (f), the
25 clerk shall provide notice of the rejection in accordance with
26 Subsection (c). The notice must include information regarding the
27 ability to correct or add information required under Section

1 84.002(a)(1-a) through the online tool described by Section
2 86.015(c).

3 (f-2) If an applicant corrects an application for a ballot to
4 be voted by mail online and that application subsequently
5 identifies the same voter identified on the applicant's
6 application for voter registration, the clerk shall provide a
7 ballot to the applicant as provided by this chapter.

8 (17) On page 21, line 3, strike "license" and substitute
9 "license, election identification certificate,".

10 (18) On page 21, line 11, strike "license" and substitute
11 "license, election identification certificate,".

12 (19) Add the following appropriately numbered SECTION to
13 ARTICLE 5 of the bill and renumber subsequent SECTIONS of that
14 ARTICLE accordingly:

15 SECTION 5.__. Section 86.015(c), Election Code, as effective
16 September 1, 2021, is amended to read as follows:

17 (c) An online tool used under this section must:

18 (1) for each election, record:

19 (A) each application for a ballot to be voted by
20 mail received by the clerk; and

21 (B) each carrier envelope sent to a voter by the
22 clerk;

23 (2) for each carrier envelope, record or assign a
24 serially numbered and sequentially issued barcode or tracking
25 number that is unique to each envelope; [~~and~~]

26 (3) update the applicable Internet website as soon as
27 practicable after each of the following events occurs:

1 (A) receipt by the early voting clerk of the
2 person's application for a ballot to be voted by mail;

3 (B) acceptance or rejection by the early voting
4 clerk of the person's application for a ballot to be voted by mail;

5 (C) placement in the mail by the early voting
6 clerk of the person's official ballot;

7 (D) receipt by the early voting clerk of the
8 person's marked ballot; and

9 (E) acceptance or rejection by the early voting
10 ballot board of a person's marked ballot; and

11 (4) allow a voter to add or correct information
12 required under Section 84.002(a)(1-a) or Section 86.002(g).

13 (20) On page 22, line 25, strike "or".

14 (21) On page 22, between lines 25 and 26, insert the
15 following:

16 (4) missing information or containing incorrect
17 information required under Section 84.002(a)(1-a) or Section
18 86.002; or

19 (22) On page 22, line 26, strike "(4)" and substitute "(5)".

20 (23) On page 23, strike lines 1 through 14 and substitute
21 the following and reletter subsequent subsections accordingly:

22 (b) Not later than the second business day after a signature
23 verification committee discovers a defect described by Subsection
24 (a) and before the committee decides whether to accept or reject
25 a timely delivered ballot under Section 87.027, the committee
26 shall:

27 (1) determine if it would be possible for the voter to

1 correct the defect and return the carrier envelope before the time
2 the polls are required to close on election day; and

3 (2) return the carrier envelope to the voter by mail,
4 if the committee determines that it would be possible for the voter
5 to correct the defect and return the carrier envelope before the
6 time the polls are required to close on election day.

7 (c) If the signature verification committee determines under
8 Subsection (b)(1) that it would not be possible for the voter to
9 correct the defect and return the carrier envelope before the time
10 the polls are required to close on election day, the committee may
11 notify the voter of the defect by telephone or e-mail and inform
12 the voter that the voter may request to have the voter's
13 application to vote by mail canceled in the manner described by
14 Section 84.032 or come to the early voting clerk's office in person
15 not later than the sixth day after election day to correct the
16 defect.

17 (24) On page 23, line 16, strike "(b)" and substitute "(b)
18 or (c)".

19 (25) On page 23, line 20, strike "(b)" and substitute "(b)
20 or (c)".

21 (26) On page 24, line 26, strike "matches the information"
22 and substitute "identifies the same voter identified".

23 (27) On page 25, line 2, strike "matches the information"
24 and substitute "identifies the same voter identified".

25 (28) On page 25, line 8, strike the underlined colon.

26 (29) On page 25, strike lines 9 through 12.

27 (30) On page 25, line 13, strike "(2)".

1 (31) On page 26, line 1, strike "or".

2 (32) On page 26, between lines 1 and 2, insert the following:

3 (4) missing information or containing incorrect
4 information required under Section 84.002(a)(1-a) or Section
5 86.002; or

6 (33) On page 26, line 2, strike "(4)" and substitute "(5)".

7 (34) On page 26, strike lines 4 through 17 and substitute
8 the following and reletter subsequent subsections accordingly:

9 (b) Not later than the second business day after a signature
10 verification committee discovers a defect described by Subsection
11 (a) and before the committee decides whether to accept or reject
12 a timely delivered ballot under Section 87.041, the committee
13 shall:

14 (1) determine if it would be possible for the voter to
15 correct the defect and return the carrier envelope before the time
16 the polls are required to close on election day; and

17 (2) return the carrier envelope to the voter by mail,
18 if the committee determines that it would be possible for the voter
19 to correct the defect and return the carrier envelope before the
20 time the polls are required to close on election day.

21 (c) If the signature verification committee determines under
22 Subsection (b)(1) that it would not be possible for the voter to
23 correct the defect and return the carrier envelope before the time
24 the polls are required to close on election day, the committee may
25 notify the voter of the defect by telephone or e-mail and inform
26 the voter that the voter may request to have the voter's
27 application to vote by mail canceled in the manner described by

1 Section 84.032 or come to the early voting clerk's office in person
2 not later than the sixth day after election day to correct the
3 defect.

4 (35) On page 26, line 19, strike "(b)" and substitute "(b)
5 or (c)".

6 (36) On page 26, line 23, strike "(b)" and substitute "(b)
7 or (c)".

8 (37) On page 30, lines 15 through 17, strike "because of a
9 physical disability that renders the voter unable to write or see
10 or an inability to read the language in which the ballot is
11 written".

12 (38) Add the following appropriately numbered SECTION to
13 ARTICLE 6 of the bill and renumber subsequent SECTIONS of ARTICLE
14 6 accordingly:

15 SECTION 6.____. (a) The secretary of state shall conduct a
16 study regarding the implementation of educational programs,
17 including the production and publication on the secretary of
18 state's Internet website of instructional videos, to help voters
19 with disabilities understand how to use voting systems used in
20 this state.

21 (b) Not later than December 1, 2022, the secretary of state
22 shall submit to the standing committees of the legislature with
23 jurisdiction over elections a report on the study required by this
24 section.

25 (c) The secretary of state, using existing resources, may
26 contract with a qualified vendor to conduct the study required by
27 this section.

1 (d) This section expires December 1, 2023.

2 (39) On page 35, strike lines 22 through 27 and substitute
3 the following:

4 (1) "Benefit" means anything reasonably regarded as a
5 gain or advantage, including a promise or offer of employment, a
6 political favor, or an official act of discretion, whether to a
7 person or another party whose welfare is of interest to the person.

8 (2) "Vote harvesting services" means in-person
9 interaction with one or more voters, in the physical presence of
10 an official ballot or a ballot voted by mail, intended to deliver
11 votes for a specific candidate or measure.

12 (40) On page 36, strike lines 16 through 19 and substitute
13 the following:

14 (3) interactions that do not directly involve an
15 official ballot or ballot by mail;

16 (4) interactions that are not conducted in-person with
17 a voter; or

18 (5) activity that is not designed to deliver votes for
19 or against a specific candidate or measure.

20 (41) Insert "or election official" in each of the following
21 places:

22 (A) on page 37, line 4, between "official" and
23 "commits";

24 (B) on page 37, lines 18-19, between "official" and
25 "engaged";

26 (C) on page 37, lines 22-23, between "official" and
27 "engaged";

1 (D) on page 37, line 25, between "official" and the
2 underlined colon; and

3 (E) on page 38, line 23, between "official" and "may".

4 (42) On page 38, line 18, between "person" and "makes",
5 insert "knowingly".

6 (43) On page 44, line 18, between "Procedure," and "is",
7 insert "as effective September 1, 2021,".

8 (44) On page 46, line 4, strike "and".

9 (45) On page 46, line 5, between "86.0105(b)" and the period,
10 insert the following:

11 ; and

12 (3) Section 127.201(f)

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