

By: Fierro

H.B. No. 91

A BILL TO BE ENTITLED

AN ACT

relating to the opportunity to correct a vote by mail application.

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

SECTION 1. Section 84.011(a), Election Code, as effective September 1, 2021, is amended to read as follows:

(a) The officially prescribed application form for an early voting ballot must include:

(1) immediately preceding the signature space the statement: "I certify that the information given in this application is true, and I understand that giving false information in this application is a crime.";

(2) a statement informing the applicant of the offenses prescribed by Sections 84.003 and 84.004;

(3) spaces for entering an applicant's voter registration number and county election precinct of registration, with a statement informing the applicant that failure to furnish that information does not invalidate the application; and

(4) on an application for a ballot to be voted by mail:

(A) a space for an applicant applying on the ground of absence from the county of residence to indicate the date on or after which the applicant can receive mail at the address outside the county;

(B) a space for indicating the fact that an applicant whose application is signed by a witness cannot make the

1 applicant's mark and a space for indicating the relationship or
2 lack of relationship of the witness to the applicant;

3 (C) a space for entering an applicant's telephone
4 number and e-mail address, with a statement informing the applicant
5 that failure to furnish that information does not invalidate the
6 application;

7 (D) a space or box for an applicant applying on
8 the ground of age or disability to indicate that the address to
9 which the ballot is to be mailed is the address of a facility or
10 relative described by Section 84.002(a)(3), if applicable;

11 (E) a space or box for an applicant applying on
12 the ground of confinement in jail or involuntary civil commitment
13 to indicate that the address to which the ballot is to be mailed is
14 the address of a relative described by Section 84.002(a)(4) or (7),
15 if applicable;

16 (F) a space for an applicant applying on the
17 ground of age or disability to indicate if the application is an
18 application under Section 86.0015;

19 (G) spaces for entering the signature, printed
20 name, and residence address of any person assisting the applicant;

21 (H) a statement informing the applicant of the
22 condition prescribed by Section 81.005; and

23 (I) a statement informing the applicant of the
24 requirement prescribed by Section 86.003(c).

25 SECTION 2. Section 86.001, Election Code, is amended by
26 adding Subsection (f) to read as follows:

27 (f) The early voting clerk, before rejecting an application

1 on the basis of a clerical error, shall make a reasonable effort to
2 contact the applicant by telephone or e-mail at any telephone
3 number or e-mail address provided on the application to notify the
4 applicant of the error. The applicant may appear at the early
5 voting clerk's office to make clerical corrections to the
6 application or submit a new application after receiving notice
7 under this section. If the applicant does not appear at the early
8 voting clerk's office before the fourth day after the date the early
9 voting clerk contacted the applicant at the telephone number or
10 e-mail address provided on the application, the clerk may reject
11 the application. The early voting clerk shall attach to and
12 maintain with the original application any records created or
13 submitted under this subsection.

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