

BILL ANALYSIS

H.B. 3080
By: Oliverson
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that the current mail-in ballot process is vulnerable to fraud. There have been calls from across the state for stricter voting regulations for mail-in applications and ballots with the aim of lowering the risk of voter fraud and ensuring the integrity of elections held in Texas. H.B. 3080 seeks to address this issue by revising verification procedures for an early voting ballot by mail and by creating an offense for a person who provides an application form for an early voting ballot to a person who did solicit the form.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the secretary of state in SECTION 4 of this bill.

ANALYSIS

H.B. 3080 amends the Election Code to create a Class A misdemeanor offense for a person who mails or otherwise provides an application form for an early voting ballot to a person who did not solicit the form.

H.B. 3080 requires the early voting clerk to include with the balloting materials of an early voting ballot by mail a card containing a space for the voter to place the voter's right thumbprint and to sign the card. The bill requires the voter to place the completed card with the sealed ballot envelope in the official carrier envelope and includes the voter's return of the card in the carrier envelope among the requisite conditions for the acceptance of the ballot. The bill authorizes the early voting ballot board to open the carrier envelope and use the card to assist in determining whether the voter's signature on the ballot application and the signature on the carrier envelope certificate are those of the voter.

H.B. 3080 requires the secretary of state to adopt rules to facilitate the procurement of the right thumbprint of as many registered voters as possible by entering into agreements with the Department of Public Safety and any other state agency the secretary of state deems appropriate. The bill requires a state agency to cooperate with the secretary of state in procuring the thumbprints.

EFFECTIVE DATE

September 1, 2021.