

BILL ANALYSIS

Senate Research Center
87R6977 BRG-D

S.B. 1112
By: Bettencourt et al.
State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 2020 election revealed that in too many places, county clerks, elections administrators, early voting clerks and/or early voting ballot boards have been accepting mail ballots that may not be compliant with one or more of the seven requirements of Section 87.041(b) which are, in short:

- properly executed certificate;
- signature verified to be the voter's signature;
- legal ground for voting by mail identified;
- voter is registered;
- mailing address is outside of the county if voting for absentee reasons;
- Statement of Residence is included if required;

S.B. 1112 would strengthen election integrity by prohibiting local election officials from suspending the signature verification requirement of early voting mail-in ballots. The bill would create a criminal offense for election officials who violate this requirement, and ensure that Texans have full faith in future elections.

As proposed, S.B. 1112 amends current law relating to signature verification on an early voting ballot voted by mail and creates a criminal offense.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 87, Election Code, by adding Section 87.0411, as follows:

Sec. 87.0411. SUSPENSION OF SIGNATURE VERIFICATION REQUIREMENT PROHIBITED. (a) Prohibits a county clerk, elections administrator, early voting clerk, or early voting ballot board from suspending the requirement under Section 87.041(b)(2) (relating to accepting a ballot only if certain signatures are not determined to have been executed by a person other than the voter, unless signed by a witness).

(b) Provides that a county clerk, elections administrator, or early voting clerk who violates this section commits an offense. Provides that an offense under this section is a Class A misdemeanor.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.