

## **BILL ANALYSIS**

S.B. 1572  
By: Paxton  
Elections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

An early voting clerk's initials must be placed on the back of early voting ballots to be used at a polling place during early voting, either by the early voting clerk or by a deputy early voting clerk stamping a facsimile of the initials on each ballot. However, a deputy early voting clerk is not currently required to sign or initial the ballot, which negatively impacts the ballot chain of custody. S.B. 1572 seeks to address this issue by requiring the deputy early voting clerk to sign or initial the back of each ballot to be used at the polling place where the deputy early voting clerk accepts voters voting by personal appearance

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 1572 amends the Election Code to replace the requirement for the early voting clerk to initial the back of each ballot to be used at a polling place with a requirement for the deputy early voting clerk to sign or initial the back of each ballot to be used at the polling place where the deputy early voting clerk accepts voters voting by personal appearance. The bill removes the requirement for a deputy early voting clerk to stamp a facsimile of the early voting clerk's initials on each ballot and requires the deputy early voting clerk at a polling place instead to enter the deputy early voting clerk's signature or initials on each ballot.

S.B. 1572 establishes that the signing of ballots by the deputy early voting clerk is not required to be completed before the polls open, but the bill prohibits an unsigned ballot from being made available for selection by a voter. The bill prohibits the duties of the deputy early voting clerk and the placement of that clerk's signature or initials from being satisfied using automation of any type. The bill prohibits the secretary of state from adopting a rule modifying or waiving the bill's requirements for deputy early voting clerks. The bill requires ballots that do not comply with those requirements during a recount to be counted separately.

### **EFFECTIVE DATE**

September 1, 2021.