87R9903 SLB-D

By:  Martinez H.B. No. 2699

A BILL TO BE ENTITLED

AN ACT

relating to the acceptance of a provisional ballot after a natural disaster.

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

SECTION 1.  Section 65.054(b), Election Code, is amended to read as follows:

(b)  A provisional ballot shall be accepted if the board determines that:

(1)  from the information in the affidavit or contained in public records, the person is eligible to vote in the election and has not previously voted in that election;

(2)  the person:

(A)  meets the identification requirements of Section 63.001(b) at the time the ballot was cast or in the period prescribed under Section 65.0541;

(B)  notwithstanding Chapter 110, Civil Practice and Remedies Code, executes an affidavit under penalty of perjury that states the voter has a religious objection to being photographed and the voter has consistently refused to be photographed for any governmental purpose from the time the voter has held this belief; or

(C)  executes an affidavit under penalty of perjury that states the voter does not have any identification meeting the requirements of Section 63.001(b) as a result of a natural disaster that was declared by the president of the United States or the governor, occurred not earlier than the 60th day [~~45 days~~] before the date the ballot was cast, and caused the destruction of or inability to access the voter's identification; and

(3)  the voter has not been challenged and voted a provisional ballot solely because the voter did not meet the requirements for identification prescribed by Section 63.001(b).

SECTION 2.  This Act takes effect September 1, 2021.