By:  Dean (Senate Sponsor - Hughes) H.B. No. 3920

(In the Senate - Received from the House May 17, 2021; May 17, 2021, read first time and referred to Committee on State Affairs; May 21, 2021, reported favorably by the following vote: Yeas 6, Nays 3; May 21, 2021, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Hughes          X

Birdwell        X

Campbell        X

Hall            X

Lucio               X

Nelson          X

Powell              X

Schwertner      X

Zaffirini           X

A BILL TO BE ENTITLED

AN ACT

relating to an application to vote early by mail on the grounds of disability or confinement for childbirth.

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

SECTION 1.  The heading to Section 82.002, Election Code, is amended to read as follows:

Sec. 82.002.  DISABILITY OR CONFINEMENT FOR CHILDBIRTH.

SECTION 2.  Section 82.002, Election Code, is amended by amending Subsections (a) and (b) and adding Subsection (c) to read as follows:

(a)  A qualified voter is eligible for early voting by mail if the voter:

(1)  has a sickness or physical condition that prevents the voter from appearing at the polling place on election day without a likelihood of needing personal assistance or of injuring the voter's health; or

(2)  is expecting to give birth within three weeks before or after election day.

(b)  The following do not constitute [~~Expected or likely confinement for childbirth on election day is~~] sufficient cause to entitle a voter to vote under Subsection (a):

(1)  a lack of transportation;

(2)  a sickness that does not prevent the voter from appearing at the polling place on election day without a likelihood of needing personal assistance or of injuring the voter's health; or

(3)  a requirement to appear at the voter's place of employment on election day.

(c)  To be eligible for an early voting ballot by mail under Subsection (a)(1), an applicant must affirmatively indicate that he or she agrees with the statement prescribed by Section 84.002(c).

SECTION 3.  Section 84.002, Election Code, is amended by adding Subsection (c) to read as follows:

(c)  An application for a ballot to be voted by mail on the ground of disability must require the applicant to affirmatively indicate that the applicant agrees with the statement, "I have a sickness or physical condition that prevents me from appearing at the polling place on election day without a likelihood of needing personal assistance or injuring my health," as prescribed by Section 82.002(a).

SECTION 4.  This Act takes effect September 1, 2021.

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