By:  Zaffirini S.B. No. 1899

A BILL TO BE ENTITLED

AN ACT

relating to elections.

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

SECTION 1.  Section 13.001(b), Election Code, is amended to read as follows:

(b)  To be eligible to apply for registration, a person must, on the date the registration application is submitted to the registrar, be at least 16 [~~17~~] years [~~and 10 months~~] of age and satisfy the requirements of Subsection (a) except for age.

SECTION 2.  Section 13.002, Election Code, is amended by amending Subsections (a) and (e) and adding Subsections (c-1) and (e-1) to read as follows:

(a)  A person desiring to register to vote must submit an application to the registrar of the county in which the person resides. Except as provided by Subsections [~~Subsection~~] (e) and (e-1), an application must be submitted by personal delivery, by mail, or by telephonic facsimile machine in accordance with Sections 13.143(d) and (d-2).

(c-1)  In addition to the other requirements prescribed by this section, an application must include a space for an applicant under 18 years of age to respond to the following question: "Are you at least 16 years of age and understand that you must be 18 years of age on or before election day to vote, and that until you will be 18 years of age at the time of such election your registration will be marked 'pending' and you will be unable to cast a ballot in any election?"

(e)  Notwithstanding Section 82.005, a [~~A~~] person who is certified for participation in the address confidentiality program administered by the attorney general under Subchapter B, Chapter 58, Code of Criminal Procedure, is not eligible for early voting by mail [~~under Section 82.007~~] unless the person submits an application under this section by personal delivery. The secretary of state may adopt rules to implement this subsection.

(e-1)  A registrar shall adopt procedures to allow a voter registration agency to deliver a completed voter registration application over the Internet. The secretary of state shall review any procedures adopted under this section to ensure the procedures comply with the provisions of this code.

SECTION 3.  Subchapter A, Chapter 13, Election Code, is amended by adding Section 13.009 to read as follows:

Sec. 13.009.  ELECTRONIC VOTER REGISTRATION. (a) The secretary of state shall implement a program to allow a person to complete a voter registration application over the Internet from the official website of this state. The Internet websites of the secretary of state and the Department of Public Safety must also provide a link to the location of the application on the official Internet website of this state.

(b)  An applicant for electronic voter registration who has a driver's license or personal identification card issued in this state, regardless of whether the license or card is unexpired, must:

(1)  attest to the truth of the information provided on the application by affirmatively accepting the information as true; and

(2)  affirmatively consent to the use of the signature on the applicant's driver's license or personal identification card for voter registration purposes.

(c)  An applicant for electronic voter registration who does not have a driver's license or personal identification card issued in this state must:

(1)  attest to the truth of the information provided on the application by affirmatively accepting the information as true; and

(2)  print a registration application from the Internet website the applicant is using to register, sign the application, and mail it to the registrar.

(d)  For each application submitted under Subsection (b), the program shall require that a digital copy of the applicant's signature be obtained from the Department of Public Safety.

(e)  For each application submitted under Subsection (c), the program shall provide the applicant with:

(1)  a registration application that the applicant can print from the registration website, sign, and mail to the registrar as required under Subsection (c)(2); and

(2)  information about how the applicant can obtain a driver's license or personal identification card from the Department of Public Safety.

(f)  An application submitted under this section is considered for all purposes an application submitted by mail under this title.

(g)  The secretary of state shall adopt rules as necessary to implement this section, including rules to provide for additional security measures necessary to ensure the accuracy and integrity of applications submitted electronically.

(h)  The rules adopted under Subsection (g) must require that:

(1)  the Internet website through which a person may complete a voter registration application include a description of the offense described by Section 13.007 in a conspicuous location on the website near the place where the person begins or submits the application; and

(2)  the state electronic Internet portal project be used to authenticate the identity of a person who submits an application electronically under this section.

SECTION 4.  Subchapter A, Chapter 13, Election Code, is amended by adding Section 13.010 to read as follows:

Sec. 13.010.  AUTOMATIC VOTER REGISTRATION. (a) The voter registrar of each county shall automatically register any county resident who is eligible to vote as provided by Section 13.001 and:

(1)  is issued a Texas driver's license or a personal identification card by the Department of Public Safety; or

(2)  makes a change to a Texas driver's license or personal identification card issued by the Department of Public Safety.

(b)  A driver's license or personal identification card transaction with an indication provided by Section 262(b) or 20.063(c) that the transaction is not for voter registration purposes is not subject to this section.

(c)  The secretary of state by rule shall prescribe procedures for the voter registrar of each county to automatically register any county resident who is eligible to vote when the resident applies for agency services at any agency designated under Chapter 20.

(d)  It is a defense to prosecution under Section 64.012 or other law that a voter did not wilfully or knowingly seek to register to vote when the voter is not eligible to do so as a result of merely failing to decline registration under this section or under Chapter 20.

SECTION 5.  Section 13.046(h), Election Code, is amended to read as follows:

(h)  The secretary of state shall:

(1)  consult with the Texas Education Agency regarding the number of registration application forms to provide to each high school;

(2)  provide to each high school registration application forms once each fall and spring semester in the number determined from the consultation under Subdivision (1); and

(3)  prescribe any additional procedures necessary to implement this section.

SECTION 6.  Section 15.021, Election Code, is amended by amending Subsections (b) and (d) and adding Subsections (d-1) and (d-2) to read as follows:

(b)  Except as provided by Subsection (d), the [~~The~~] voter shall use the registration certificate or a registration application form as the notice, indicating the correct information in the appropriate space on the certificate or application form unless the voter does not have possession of the certificate or an application form at the time of giving the notice.

(d)  A voter [~~who continues to reside in the county in which the voter is registered~~] may correct information under this section by digital transmission of the information under a program administered by the secretary of state and the Department of Information Resources.

(d-1)  If the notice indicates that a voter no longer resides in the county in which the voter is registered, the registrar shall forward the notice and the voter's original application for registration to the registrar of the county in which the voter resides. The registrars shall coordinate to ensure that the voter's existing registration is canceled immediately after the voter is registered in the county in which the voter resides in accordance with Subsection (d-2).

(d-2)  A registrar who receives a voter's notice and application from another registrar under Subsection (d-1) shall treat it as an original application for registration under Section 13.002, and shall register the voter if the voter resides in the county and is otherwise eligible under Section 13.001.

SECTION 7.  Section 15.022, Election Code, is amended by adding Subsection (c) to read as follows:

(c)  If an application clearly indicates that the applicant resides in another county, the registrar shall forward the application to the other county's registrar not later than the second day after the date the application is received and, if the other county is not contiguous, shall deliver written notice of that action to the applicant not later than the seventh day after the date the application is received. The date of submission of a completed application to the wrong registrar is considered to be the date of submission to the proper registrar for purposes of determining the effective date of the registration.

SECTION 8.  Section 20.032, Election Code, is amended by amending Subsections (a) and (c) and adding Subsection (e) to read as follows:

(a)  An appropriate agency employee shall routinely inform each person who applies [~~in person~~] for agency services of the opportunity to complete a voter registration application form and on request shall provide nonpartisan voter registration assistance to the applicant.

(c)  On receipt of a registration application, the appropriate agency employee shall review it for completeness [~~in the applicant's presence~~]. If the application does not contain all the required information and the required signature, the agency employee shall return the application to the applicant for completion and resubmission.

(e)  Notwithstanding any other provision of law, an agency shall adopt procedures providing for:

(1)  a person applying for initial services, recertification, renewal, or change of address with the agency over the Internet to also complete a voter registration application online; and

(2)  the delivery of a voter registration application to the voter registrar over the Internet.

SECTION 9.  Section 20.061, Election Code, is amended to read as follows:

Sec. 20.061.  APPLICABILITY OF OTHER PROVISIONS. The other provisions of this chapter apply to the Department of Public Safety except provisions that conflict with this subchapter or Section 13.010.

SECTION 10.  Section 20.062(b), Election Code, is amended to read as follows:

(b)  The department shall prescribe and use a change of address form and procedure that combines department and voter registration functions. The form must allow a licensee or cardholder to indicate that [~~whether~~] the change of address is not [~~also to be used~~] for voter registration purposes.

SECTION 11.  Section 20.063, Election Code, is amended to read as follows:

Sec. 20.063.  REGISTRATION PROCEDURES. (a) The Department of Public Safety shall consider an application made in person, by mail, or online at the department's Internet website [~~provide to each person who applies in person at the department's offices~~] for an original or renewal of a driver's license, a personal identification card, or a duplicate or corrected license or card by a person who is eligible to vote as provided by Section 13.001 an application for [~~opportunity to complete a~~] voter registration. The date of application is considered to be the date of submission to the voter registrar for the purpose of determining the effective date of registration [~~application form~~].

(b)  The Department of Public Safety shall consider a change of address that relates to [~~When the department processes~~] a license or card and that is submitted to [~~for renewal by mail,~~] the department [~~shall deliver to the applicant by mail a voter registration application form.~~

[~~(c)  A change of address that relates to a license or card and that is submitted to the department~~] in person, [~~or~~] by mail, or online at the department's Internet website [~~serves~~] as a change in [~~of address for~~] voter registration [~~unless the licensee or cardholder indicates that the change is not for voter registration purposes~~]. The date of submission of a change of address to a department employee is considered to be the date of submission to the voter registrar for the purpose of determining the effective date of registration [~~only~~].

(c)  The registration of an eligible [~~(d)  If a completed~~] voter as required by Subsections (a) and (b) is automatic unless the person indicates that the transaction is not for voter registration purposes [~~application submitted to a department employee does not include the applicant's correct driver's license number or personal identification card number, a department employee shall enter the appropriate information on the application. If a completed application does not include the applicant's correct residence address or mailing address, a department employee shall obtain the appropriate information from the applicant and enter the information on the application~~].

SECTION 12.  Sections 20.065(a) and (b), Election Code, are amended to read as follows:

(a)  At the end of each day a Department of Public Safety office is regularly open for business, the manager of the office shall deliver [~~by mail or in person~~] to the voter registrar of the county in which the office is located each completed voter registration application and applicable change of address submitted to a department employee.

(b)  Each weekday the department is regularly open for business, the department shall electronically transfer to the secretary of state the name and information designated by the secretary of state for [~~of each person who completes a~~] voter registration for each individual who is eligible to vote as provided by Section 13.001 and applies in person, by mail, or online at the department's Internet website for an original or renewal of a driver's license, a personal identification card, or a duplicate or corrected license or card [~~application submitted to the department~~]. The secretary shall prescribe procedures necessary to implement this subsection.

SECTION 13.  Section 20.092(a), Election Code, is amended to read as follows:

(a)  A public library shall provide to each person of voting age who applies [~~in person~~] for an original or renewal of a library card an opportunity to complete a voter registration application form.

SECTION 14.  Section 43.007(f), Election Code, is amended to read as follows:

(f)  In selecting countywide polling places, a county must adopt a methodology for determining where each polling place will be located. The total number of countywide polling places may not be less than 80[~~:~~

[~~(1)  except as provided by Subdivision (2), 50~~] percent of the number of precinct polling places that would otherwise be located in the county for that election[~~; or~~

[~~(2)  for an election held in the first year in which the county participates in the program, 65 percent of the number of precinct polling places that would otherwise be located in the county for that election~~].

SECTION 15.  Subchapter A, Chapter 43, Election Code, is amended by adding Section 43.008 to read as follows:

Sec. 43.008.  CAMPUS POLLING PLACE. (a) The commissioners court of a county shall designate as a polling place a location on the main campus of an institution of higher education as defined by Section 61.003, Education Code, located within the county if at least 5,000 students are enrolled in the institution.

(b)  The commissioners court of a county shall designate two polling places on the main campus of an institution of higher education as defined by Section 61.003, Education Code, if at least 10,000 students are enrolled in the institution, and shall designate one additional polling place for every additional 10,000 students enrolled in the institution.

SECTION 16.  Section 82.005, Election Code, is amended to read as follows:

Sec. 82.005.  ELIGIBILITY FOR EARLY VOTING [~~BY PERSONAL APPEARANCE~~]. Any qualified voter is eligible for early voting by mail or personal appearance.

SECTION 17.  Section 82.007, Election Code, is amended to read as follows:

Sec. 82.007.  PARTICIPATION IN ADDRESS CONFIDENTIALITY PROGRAM. Notwithstanding Section 82.005, a [~~A~~] qualified voter who, [~~is eligible for early voting by mail if:~~

[~~(1)  the voter submitted a registration application by personal delivery as required by Section 13.002(e); and~~

[~~(2)~~]  at the time the voter's early voting ballot application is submitted, [~~the voter~~] is certified for participation in the address confidentiality program administered by the attorney general under Subchapter B, Chapter 58, Code of Criminal Procedure, is eligible for early voting by mail only if the voter submitted a registration application by personal delivery as required by Section 13.002(e).

SECTION 18.  Sections 84.001(a) and (b), Election Code, are amended to read as follows:

(a)  To be entitled to vote an early voting ballot by mail, a person [~~who is eligible for early voting~~] must make an application for an early voting ballot to be voted by mail as provided by this title.

SECTION 19.  Section 84.002(a), Election Code, is amended to read as follows:

(a)  An early voting ballot application must include:

(1)  the applicant's name and the address at which the applicant is registered to vote;

(2)  for an application for a ballot to be voted by mail by an applicant who will be absent from the applicant's [~~on the ground of absence from the~~] county of residence on election day, the address outside the applicant's county of residence to which the ballot is to be mailed;

(3)  for an application for a ballot to be voted by mail by an applicant who is 65 years of age or older on election day or has a sickness or physical condition that requires the applicant to reside in a hospital or nursing home or other long-term care facility, or with a relative [~~on the ground of age or disability~~], the address of the hospital, nursing home or other long-term care facility, or retirement center, or of a person related to the applicant within the second degree by affinity or the third degree by consanguinity, as determined under Chapter 573, Government Code, if the applicant is living at that address and that address is different from the address at which the applicant is registered to vote;

(4)  for an application for a ballot to be voted by mail by an applicant who is confined [~~on the ground of confinement~~] in jail as described by Section 84.009(a), the address of the jail or of a person related to the applicant within the degree described by Subdivision (3); and

(5)  [~~for an application for a ballot to be voted by mail on any ground,~~] an indication of each election for which the applicant is applying for a ballot[~~; and~~

[~~(6)  an indication of the ground of eligibility for early voting~~].

SECTION 20.  Section 84.009, Election Code, is amended by amending Subsection (a) and adding Subsection (b) to read as follows:

(a)  This section applies only to an applicant who, at the time the application for a ballot to be voted by mail is submitted, is confined in jail:

(1)  serving a misdemeanor sentence for a term that ends on or after election day;

(2)  pending trial after denial of bail;

(3)  without bail pending an appeal of a felony conviction; or

(4)  pending trial or appeal on a bailable offense for which release on bail before election day is unlikely.

(b)  On request of the applicant, an application for a ballot to be voted by mail [~~on the ground of confinement in jail~~] may be submitted to the early voting clerk, at the discretion of the authority in charge of the jail, by personal delivery by the jail authority or by a designated subordinate of the authority.

SECTION 21.  Section 84.011(a), Election Code, is amended to read as follows:

(a)  The officially prescribed application form for an early voting ballot must include:

(1)  immediately preceding the signature space the statement: "I certify that the information given in this application is true, and I understand that giving false information in this application is a crime.";

(2)  a statement informing the applicant of the offenses prescribed by Sections 84.003 and 84.004;

(3)  spaces for entering an applicant's voter registration number and county election precinct of registration, with a statement informing the applicant that failure to furnish that information does not invalidate the application; and

(4)  on an application for a ballot to be voted by mail:

(A)  a space for an applicant [~~applying on the ground of absence from the county of residence~~] to indicate whether the applicant will be absent from the applicant's county of residence on election day and, if applicable, the date on or after which the applicant can receive mail at the address outside the county;

(B)  a space for indicating the fact that an applicant whose application is signed by a witness cannot make the applicant's mark and a space for indicating the relationship or lack of relationship of the witness to the applicant;

(C)  a space for entering an applicant's telephone number, with a statement informing the applicant that failure to furnish that information does not invalidate the application;

(D)  a space or box for an applicant who is 65 years of age or older on election day or has a sickness or physical condition that requires the applicant to reside in a hospital or nursing home or other long-term care facility, or with a relative, [~~applying on the ground of age or disability~~] to indicate that the address to which the ballot is to be mailed is the address of a facility or relative described by Section 84.002(a)(3), if applicable;

(E)  a space or box for an applicant confined [~~applying on the ground of confinement~~] in jail as described by Section 84.009(a) to indicate that the address to which the ballot is to be mailed is the address of a relative described by Section 84.002(a)(4), if applicable;

(F)  a space for an applicant [~~applying on the ground of age or disability~~] to indicate if the application is an application under Section 86.0015;

(G)  spaces for entering the signature, printed name, and residence address of any person assisting the applicant;

(H)  a statement informing the applicant of the condition prescribed by Section 81.005; and

(I)  a statement informing the applicant of the requirement prescribed by Section 86.003(c).

SECTION 22.  Section 84.032(c), Election Code, is amended to

read as follows:

(c)  An applicant may submit a request after the close of early voting by personal appearance by appearing in person and:

(1)  returning the ballot to be voted by mail to the

early voting clerk; or

(2)  executing an affidavit that the applicant:

(A)  has not received the ballot to be voted by

mail; [~~or~~]

(B)  never requested a ballot to be voted by mail;

or

(C)  received notice of a defect under Section

87.0271(b) or 87.0411(b).

SECTION 23.  Section 85.031(a), Election Code, is amended to read as follows:

(a)  For each person entitled to vote an early voting ballot by personal appearance or who is entitled to register at a polling place, the early voting clerk shall follow the procedure for accepting a regular voter on election day, with the modifications necessary for the conduct of early voting.

SECTION 24.  Section 86.0015(a), Election Code, is amended to read as follows:

(a)  This section applies only to an application for a ballot to be voted by mail that[~~:~~

[~~(1) indicates the ground of eligibility is age or disability; and~~

[~~(2)~~] does not specify the election for which a ballot is requested or has been marked by the applicant as an application for more than one election.

SECTION 25.  Sections 86.003(c), Election Code, is amended to read as follows:

(c)  The address to which the balloting materials must be addressed is the address at which the voter is registered to vote, or the registered mailing address if different, unless the application to vote early by mail indicates that the voter [~~ground for voting by mail is~~]:

(1)  will be absent from the voter's [~~absence from the~~] county of residence on election day, in which case the address must be an address outside the voter's county of residence;

(2)  is confined [~~confinement~~] in jail as described by Section 84.009(a), in which case the address must be the address of the jail or of a relative described by Section 84.002(a)(4); or

(3)  is 65 years of age or older on election day or has a sickness or physical condition that requires the applicant to reside in a hospital or nursing home or other long-term care facility, or with a relative, [~~age or disability~~] and [~~the voter~~] is living at a hospital, nursing home or other long-term care facility, or retirement center, or with a relative described by Section 84.002(a)(3), in which case the address must be the address of that facility or relative.

SECTION 26.  Section 86.004(b), Election Code, is amended to read as follows:

(b)  For an election to which Section 101.104 applies, the balloting materials for a voter who indicates on the application for a ballot to be voted by mail or the federal postcard application that the voter seeks [~~is eligible~~] to vote early by mail as a consequence of the voter's being outside the United States shall be mailed on or before the later of the 45th day before election day or the seventh calendar day after the date the clerk receives the application. However, if it is not possible to mail the ballots by the deadline of the 45th day before election day, the clerk shall notify the secretary of state within 24 hours of knowing that the deadline will not be met. The secretary of state shall monitor the situation and advise the clerk, who shall mail the ballots as soon as possible in accordance with the secretary of state's guidelines.

SECTION 27.  Sections 86.007(a) and (e), Election Code, are amended to read as follows:

(a)  A [~~Except as provided by Subsection (d), a~~] marked ballot voted by mail must arrive at the address on the carrier envelope:

(1)  before the time the polls are required to close on election day; or

(2)  not later than the sixth day after the date of the election [~~5 p.m. on the day after election day~~], if the carrier envelope was placed for delivery by mail or common or contract carrier before election day and bears a cancellation mark of a common or contract carrier or a courier indicating a time not later than 7 p.m. at the location of the election on election day.

(e)  A delivery under Subsection (a)(2) [~~or (d)~~] is timely, except as otherwise provided by this title, if the carrier envelope or, if applicable, the envelope containing the carrier envelope:

(1)  is properly addressed with postage or handling charges prepaid; and

(2)  bears a cancellation mark of a recognized postal service or a receipt mark of a common or contract carrier or a courier indicating a time before the deadline.

SECTION 28.  Chapter 86, Election Code, is amended by adding Section 86.015 to read as follows:

Sec. 86.015.  ELECTRONIC TRACKING OF APPLICATION FOR BALLOT VOTED BY MAIL OR BALLOT VOTED BY MAIL. (a) The secretary of state shall publish on the secretary's Internet website an online database that enables a person who submits an application for a ballot to be voted by mail to track the location and status of the person's application and ballot.

(b)  The database must include the following information for each person who submits an application for a ballot to be voted by mail:

(1)  the date that the early voting clerk received the person's application for a ballot to be voted by mail;

(2)  the date that the early voting clerk accepted or rejected the person's application for a ballot to be voted by mail;

(3)  if the application is rejected, an explanation of why the application was rejected and instructions regarding how the person may proceed;

(4)  the date the early voting clerk placed in the mail the person's official ballot;

(5)  the date the early voting clerk received the person's marked ballot;

(6)  the date that the early voting ballot board accepted or rejected the person's marked ballot; and

(7)  instructions regarding how the person may cast a ballot in the election, if the early voting ballot board rejected the ballot.

(c)  Except as provided by Subsections (d) and (e), each early voting clerk shall update the database with information required under Subsection (b) not less frequently than once per week.

(d)  Beginning on the 90th day before the date of an election, the early voting clerk shall update the database at least once per day with information required under Subsection (b) relating to that election.

(e)  Not later than 20 days after the date of the election for which a person submitted an application under Section 86.0015, the early voting clerk shall update the person's information on the database for each election to which the application applies.

(f)  The database must allow a person to:

(1)  sort the information contained in the database by data points including the voter's:

(A)  first and last name, as provided on the voter's application for voter registration;

(B)  date of birth; and

(C)  residence address zip code; and

(2)  retrieve the information listed under Subsection (b) for a specific voter by inputting the voter's voter registration number.

(g)  The database may not display information from a person's voter registration record except to the extent necessary to provide information described by Subsection (b).

(h)  The secretary of state shall adopt rules and prescribe procedures as necessary to implement this section.

SECTION 29.  Subchapter B, Chapter 87, Election Code, is amended by adding Section 87.0271 to read as follows:

Sec. 87.0271.  OPPORTUNITY TO CORRECT DEFECT: SIGNATURE VERIFICATION COMMITTEE. (a) This section applies to an early voting ballot voted by mail:

(1)  for which the voter did not sign the carrier envelope certificate;

(2)  for which it cannot immediately be determined whether the signature on the carrier envelope certificate is that of the voter;

(3)  missing any required statement of residence; or

(4)  containing incomplete information with respect to a witness.

(b)  Before deciding whether to accept or reject a ballot under Section 87.027, the signature verification committee may:

(1)  return the carrier envelope to the voter by mail, if the signature verification committee determines that it would be possible to correct the defect and return the carrier envelope before the time the polls are required to close on election day; or

(2)  notify the voter of the defect by telephone or

e-mail and inform the voter that the voter may come to the early

voting clerk 's office in person to:

(A)  correct the defect; or

(B)  request to have the voter's application to vote by mail canceled under Section 84.032.

(c)  If the signature verification committee takes an action

described by Subsection (b), the committee must take either action

described by that subsection with respect to each ballot in the

election to which this section applies.

(d)  A poll watcher is entitled to observe an action taken

under Subsection (b).

(e)  The secretary of state may prescribe any procedures

necessary to implement this section.

SECTION 30.  Sections 87.041(b), Election Code, is amended to read as follows:

(b)  A ballot may be accepted only if:

(1)  the carrier envelope certificate is properly executed;

(2)  neither the voter's signature on the ballot application nor the signature on the carrier envelope certificate is determined to have been executed by a person other than the voter, unless signed by a witness;

(3)  [~~the voter's ballot application states a legal ground for early voting by mail;~~

[~~(4)~~]  the voter is registered to vote, if registration is required by law;

(4)  [~~(5)  the address to which the ballot was mailed to the voter, as indicated by the application, was outside the voter's county of residence, if the ground for early voting is absence from the county of residence;~~

[~~(6)~~]  for a voter to whom a statement of residence form was required to be sent under Section 86.002(a), the statement of residence is returned in the carrier envelope and indicates that the voter satisfies the residence requirements prescribed by Section 63.0011; and

(5) [~~(7)~~]  the address to which the ballot was mailed to the voter is an address [~~that is otherwise~~] required by Sections 84.002 and 86.003.

SECTION 31.  Subchapter C, Chapter 87, Election Code, is Amended by adding Section 87.0411 to read as follows:

Sec. 87.0411.  OPPORTUNITY TO CORRECT DEFECT: EARLY VOTING

BALLOT BOARD. (a) This section applies to an early voting ballot

voted by mail:

(1)  for which the voter did not sign the carrier

envelope certificate;

(2)  for which it cannot immediately be determined

whether the signature on the carrier envelope certificate is that

of the voter;

(3)  missing any required statement of residence; or

(4)  containing incomplete information with respect to

a witness.

(b)  Before deciding whether to accept or reject a timely

delivered ballot under Section 87.041, the early voting ballot

board may:

(1)  return the carrier envelope to the voter by mail,

if the early voting ballot board determines that it would be

possible to correct the defect and return the carrier envelope

before the time the polls are required to close on election day; or

(2)  notify the voter of the defect by telephone or

e-mail and inform the voter that the voter may come to the early

voting clerk 's office in person to:

(A)  correct the defect; or

(B)  request to have the voter 's application to

vote by mail canceled under Section 84.032.

(c)  If the early voting ballot board takes an action described by Subsection (b), the board must take either action described by that subsection with respect to each ballot in the election to which this section applies.

(d)  A poll watcher is entitled to observe an action taken

under Subsection (b).

(e)  The secretary of state may prescribe any procedures

necessary to implement this section.

SECTION 32.  Section 102.001(a), Election Code, is amended to read as follows:

(a)  A qualified voter is eligible to vote a late ballot as provided by this chapter if the voter has a sickness or physical condition [~~described by Section 82.002~~] 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 and originates on or after the day before the last day for submitting an application for a ballot to be voted by mail.

SECTION 33.  The following provisions of the Election Code are repealed:

(1)  Section 43.007(i);

(2)  Sections 82.001, 82.002, 82.003, and 82.004;

(3)  Section 84.002(b);

(4)  Sections 86.007(d) and (g); and

(5)  Section 112.002(b).

SECTION 34.  (a) The voter registrar of a county must adopt procedures for the acceptance of voter registration applications under Section 13.002(e-1), Election Code, as added by this Act, not later than September 1, 2021.

(b)  A voter registration agency must adopt procedures as required by Section 20.032(e), Election Code, as added by this Act, not later than September 1, 2021.

SECTION 35.  Section 13.046(h), Election Code, as amended by this Act, applies beginning with the 2021-2022 school year.

SECTION 36.  The secretary of state shall adopt rules as required by Section 63.010, Election Code, as added by this Act, not later than February 1, 2022.

SECTION 37.  The secretary of state shall prescribe rules for the implementation of Section 13.010, Election Code, as added by this Act, not later than January 1, 2022. An agency designated under Chapter 20, Election Code, shall provide automatic voter registration on the earlier of January 1, 2024, or five days after the date of certification by the secretary of state that the information technology infrastructure to substantially implement the provisions of Section 13.010 and Chapter 20, Election Code, at the agency is functional.

SECTION 38.  The changes in law made by this Act apply only to an election ordered on or after September 1, 2021.

SECTION 39.  This Act takes effect September 1, 2021.