By: Fierro

H.B. No. 46

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the use of e-mail on a vote by mail application.

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

4   SECTION 1.   Section 84.011(a), Election Code, is amended to

5 read as follows:

6   (a) The officially prescribed application form for an early

7 voting ballot must include:

8   (1) immediately preceding the signature space the

9 statement: "I certify that the information given in this

10 application is true, and I understand that giving false information

11 in this application is a crime.";

12   (2) a statement informing the applicant of the

13 offenses prescribed by Sections 84.003 and 84.004;

14   (3) spaces for entering an applicant's voter

15 registration number and county election precinct of registration,

16 with a statement informing the applicant that failure to furnish

17 that information does not invalidate the application; and

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

19   (A) a space for an applicant applying on the

20 ground of absence from the county of residence to indicate the date

21 on or after which the applicant can receive mail at the address

22 outside the county;

23   (B) a space for indicating the fact that an

24 applicant whose application is signed by a witness cannot make the

1 applicant's mark and a space for indicating the relationship or

2 lack of relationship of the witness to the applicant;

3 (C) a space for entering an applicant's telephone

4 number and e-mail address, with a statement informing the applicant

5 that failure to furnish that information does not invalidate the

6 application;

7 (D) a space or box for an applicant applying on

8 the ground of age or disability to indicate that the address to

9 which the ballot is to be mailed is the address of a facility or

10 relative described by Section 84.002(a)(3), if applicable;

11 (E) a space or box for an applicant applying on

12 the ground of confinement in jail to indicate that the address to

13 which the ballot is to be mailed is the address of a relative

14 described by Section 84.002(a)(4), if applicable;

15 (F) a space for an applicant applying on the

16 ground of age or disability to indicate if the application is an

17 application under Section 86.0015;

18 (G) spaces for entering the signature, printed

19 name, and residence address of any person assisting the applicant;

20 (H) a statement informing the applicant of the

21 condition prescribed by Section 81.005; and

22 (I) a statement informing the applicant of the

23 requirement prescribed by Section 86.003(c).

24 SECTION 2. Section 86.001, Election Code, is amended by

25 adding Subsections (f) and (f-1) to read as follows:

26 (f) The early voting clerk, before rejecting an

27 application, shall make a reasonable effort to contact the

1 applicant by e-mail at any e-mail address provided on the

2 application, to ask questions about the application. The applicant

3 may make clerical corrections to the application by e-mail,

4 including correcting the applicant's date of birth, correcting

5 spelling of the applicant's name, or providing additional

6 information to make corrections to an address or county of

7 residence. If an applicant has submitted an address that is not an

8 acceptable mailing address, the applicant may submit to the early

9 voting clerk a mailing address by e-mail. If the early voting clerk

10 does not receive a response before the fourth day after the date the

11 clerk sent an e-mail to the e-mail address provided on the

12 application, the clerk may reject the application. The early

13 voting clerk shall attach to and maintain with the original

14 application submissions and corrections provided by e-mail under

15 this subsection.

16   (f-1) An applicant may not change the address or county of

17 residence submitted on the original application to a different

18 address or county of residence by e-mail.

19   SECTION 3. This Act takes effect September 1, 2021.