

By: Hinojosa

H.B. No. 1465

A BILL TO BE ENTITLED

1 AN ACT

2 relating to early voting by certain persons who are caretakers of
3 persons with certain disabilities.

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

5 SECTION 1. Subtitle B, Title 7, Election Code, is amended by
6 adding Chapter 107 to read as follows:

7 CHAPTER 107. EARLY VOTING BY PERSON IN SPECIAL CIRCUMSTANCE

8 Sec. 107.001. APPLICABILITY. This chapter applies only to
9 a person:

10 (1) who is eligible to vote in this state;

11 (2) who is the permanent caretaker of a person who has
12 a disability; and

13 (3) whose presence:

14 (A) is necessary to protect the life or safety of
15 the person who has a disability; and

16 (B) will prevent the caretaker from appearing at
17 the polling place on election day.

18 Sec. 107.002. FORM AND CONTENTS OF APPLICATION. The
19 secretary of state shall prescribe a unique application for a
20 ballot to be voted under this chapter that must:

21 (1) be in the form of an affidavit; and

22 (2) include, in addition to the information required
23 by the applicable provisions of Section 84.002, a certificate of a
24 licensed physician, licensed chiropractor, or accredited Christian

1 Science practitioner in substantially the following form:

2 "This is to certify that I know that (insert name of voter) is
3 the caretaker of a person with a sickness or physical condition that
4 requires the caretaker's presence to protect the life or safety of
5 the person and that this duty will prevent (insert name of voter)
6 from appearing at the polling place for an election held on (insert
7 date of election).

8 "Witness my hand at _____, Texas, this ____ day of
9 _____, 20__.

10 _____
11 (Signature of physician, chiropractor, or practitioner)"

12 Sec. 107.003. VOTING PROCEDURE; PROCESSING RESULTS. (a)
13 On submission of an application under this chapter to the early
14 voting clerk, the clerk shall review the application and verify the
15 applicant's registration status in accordance with the procedure
16 applicable to early voting by mail.

17 (b) The voting shall be conducted with the balloting
18 materials for early voting by mail.

19 (c) The voter must mark and seal the ballot in the same
20 manner as if early voting by mail.

21 (d) The results shall be processed in accordance with the
22 procedures applicable to processing early voting ballots voted by
23 mail.

24 Sec. 107.004. RULES. The secretary of state shall adopt
25 rules to implement this chapter.

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