

By: González of Dallas

H.B. No. 1807

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of an applicant's e-mail address on a vote by
3 mail application.

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

5 SECTION 1. Section 84.011(a), Election Code, is amended to
6 read as follows:

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

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

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

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

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

20 (A) a space for an applicant applying on the
21 ground of absence from the county of residence to indicate the date
22 on or after which the applicant can receive mail at the address
23 outside the county;

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

1 applicant whose application is signed by a witness cannot make the
2 applicant's mark and a space for indicating the relationship or
3 lack of relationship of the witness to the applicant;

4 (C) a space for entering an applicant's telephone
5 number and e-mail address, with a statement informing the applicant
6 that failure to furnish that information does not invalidate the
7 application;

8 (D) a space or box for an applicant applying on
9 the ground of age or disability to indicate that the address to
10 which the ballot is to be mailed is the address of a facility or
11 relative described by Section 84.002(a)(3), if applicable;

12 (E) a space or box for an applicant applying on
13 the ground of confinement in jail to indicate that the address to
14 which the ballot is to be mailed is the address of a relative
15 described by Section 84.002(a)(4), if applicable;

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

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

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

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

25 SECTION 2. Subchapter A, Chapter 84, Election Code, is
26 amended by adding Section 84.015 to read as follows:

27 Sec. 84.015. CONFIDENTIALITY AND USE OF E-MAIL ADDRESS.

1 (a) An e-mail address provided under this subchapter for the
2 purpose of applying for an early voting ballot is confidential and
3 does not constitute public information for purposes of Chapter 552,
4 Government Code. The early voting clerk shall ensure that a voter's
5 e-mail address provided under this subchapter is excluded from
6 public disclosure.

7 (b) The early voting clerk may only use an e-mail address
8 provided under this subchapter for the purposes of Section 86.001.

9 SECTION 3. Section 86.001, Election Code, is amended by
10 amending Subsection (c) and adding Subsections (f), (f-1), (f-2),
11 and (f-3) to read as follows:

12 (c) Except as provided by Section 86.008, if the applicant
13 is not entitled to vote by mail, the clerk shall reject the
14 application, enter on the application "rejected" and the reason for
15 and date of rejection, ~~and~~ deliver written notice of the reason
16 for the rejection to the applicant at both the residence address and
17 mailing address on the application, and, if applicable, provide
18 notice of the reason for the rejection to the applicant at an e-mail
19 address provided on the application. A ballot may not be provided
20 to an applicant whose application is rejected.

21 (f) If an applicant provides an e-mail address on the
22 application, the early voting clerk may reject the application on
23 the basis of an error that may be corrected by e-mail under
24 Subsection (f-1), only if the clerk:

25 (1) makes a reasonable effort to contact the applicant
26 by e-mail at an e-mail address provided on the application; and

27 (2) does not receive a response before the seventh day

1 after the date the clerk sent the e-mail or receives a response that
2 does not correct the error.

3 (f-1) If an applicant provides an e-mail address on the
4 application, the applicant by e-mail may:

5 (1) make clerical corrections to the application,
6 including correcting the applicant's date of birth, correcting
7 spelling of the applicant's name, or providing additional
8 information to make corrections to an address or county of
9 residence; or

10 (2) submit to the early voting clerk a mailing
11 address, if the applicant has submitted an address that is not an
12 acceptable mailing address.

13 (f-2) An applicant may not change the address or county of
14 residence submitted on the original application to a different
15 address or county of residence by e-mail.

16 (f-3) The early voting clerk shall attach to and maintain
17 with the original application submissions and corrections provided
18 by e-mail under Subsection (f-1).

19 SECTION 4. Section [86.008](#), Election Code, is amended by
20 adding Subsection (e) to read as follows:

21 (e) The clerk is not required to mail or otherwise deliver
22 an official application or notice under Subsection (a) or (c) if an
23 applicant corrects the application by e-mail under Section
24 [86.001](#)(f-1).

25 SECTION 5. This Act takes effect September 1, 2021.