

1-1 By: Clardy, et al. (Senate Sponsor - Zaffirini) H.B. No. 3107
1-2 (In the Senate - Received from the House May 10, 2021;
1-3 May 10, 2021, read first time and referred to Committee on State
1-4 Affairs; May 22, 2021, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 May 22, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3107 By: Zaffirini

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to election practices and procedures.
1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-23 SECTION 1. Section 1.007(c), Election Code, is amended to
1-24 read as follows:
1-25 (c) A delivery, submission, or filing of a document or paper
1-26 under this code may be made by personal delivery, mail, telephonic
1-27 facsimile machine, e-mail, or any other method of transmission.
1-28 SECTION 2. Section 2.002, Election Code, is amended by
1-29 amending Subsection (b) and adding Subsection (j) to read as
1-30 follows:
1-31 (b) Not later than the fifth day after the date the
1-32 automatic recount required by Subsection (i) is completed or the
1-33 final canvass following the automatic recount is completed, if
1-34 applicable, the authority responsible for ordering the first
1-35 election shall order the second election. The second election
1-36 shall be held not earlier than the 20th day or later than the 45th
1-37 ~~30th~~ day after the date the automatic recount required by
1-38 Subsection (i) is completed or the final canvass following the
1-39 automatic recount is completed, if applicable.
1-40 (j) If the recount does not resolve the tie, the tied
1-41 candidates may:
1-42 (1) cast lots not later than the day before the date
1-43 the authority must order the second election under Subsection (b);
1-44 or
1-45 (2) withdraw from the election not later than 5 p.m. of
1-46 the day after the date the automatic recount is held.
1-47 SECTION 3. Section 2.022(b), Election Code, is amended to
1-48 read as follows:
1-49 (b) Sections 2.023, 2.025, and 2.028 supersede a law outside
1-50 this subchapter to the extent of any conflict.
1-51 SECTION 4. Section 2.025(d), Election Code, is amended to
1-52 read as follows:
1-53 (d) A runoff election for a special election to fill a
1-54 vacancy in Congress or a special election to fill a vacancy in the
1-55 legislature, except an election ordered as an emergency election
1-56 under Section 41.0011 or an election held as an expedited election
1-57 under Section 203.013, [to which Section 101.104 applies] shall be
1-58 held not earlier than the 70th day or later than the 77th day after
1-59 the date the final canvass of the main election is completed.
1-60 SECTION 5. Section 2.028(c), Election Code, is amended to

2-1 read as follows:

2-2 (c) A tying candidate may resolve the tie by filing with the
 2-3 presiding officer of the final canvassing authority a written
 2-4 statement of withdrawal signed and sworn to [~~acknowledged~~] by the
 2-5 candidate. If the statement of withdrawal is received before the
 2-6 automatic recount is conducted, the remaining candidate is the
 2-7 winner, and the automatic recount is not conducted. If the
 2-8 statement of withdrawal is received not later than 5 p.m. the day
 2-9 after the date the automatic recount is conducted [~~On receipt of the~~
 2-10 ~~statement of withdrawal~~], the remaining candidate is the winner,
 2-11 and a casting of lots is not held.

2-12 SECTION 6. Section 2.051(b), Election Code, is amended to
 2-13 read as follows:

2-14 (b) In the case of an election in which any members of the
 2-15 political subdivision's governing body are elected from
 2-16 territorial units such as single-member districts, this subchapter
 2-17 applies to the election in a particular territorial unit if each
 2-18 candidate for an office that is to appear on the ballot in that
 2-19 territorial unit is unopposed and no [~~at-large proposition or~~]
 2-20 opposed at-large race is to appear on the ballot. This subchapter
 2-21 applies to an unopposed at-large race in such an election
 2-22 regardless of whether an opposed race is to appear on the ballot in
 2-23 a particular territorial unit.

2-24 SECTION 7. Section 3.005(d), Election Code, is amended to
 2-25 read as follows:

2-26 (d) Except as provided by Subsection (c), an [~~An~~] election
 2-27 under Section 26.08, Tax Code, to ratify a tax rate adopted by the
 2-28 governing body of a school district under Section 26.05(g) of that
 2-29 code shall be ordered not later than the 30th day before election
 2-30 day.

2-31 SECTION 8. Section 4.003(c), Election Code, is amended to
 2-32 read as follows:

2-33 (c) In addition to any other notice given, notice of an
 2-34 election ordered by the governor, by a county authority,
 2-35 [~~commissioners court~~] or by an authority of a city or school
 2-36 district must be given by the method prescribed by Subsection
 2-37 (a)(1).

2-38 SECTION 9. Section 4.004(a), Election Code, is amended to
 2-39 read as follows:

2-40 (a) The notice of a general or special election must state:
 2-41 (1) the nature and date of the election;
 2-42 (2) except as provided by Subsection (c), the location
 2-43 of each polling place;
 2-44 (3) the hours that the polls will be open; [~~and~~]
 2-45 (4) the Internet website of the authority conducting
 2-46 the election; and
 2-47 (5) any other information required by other law.

2-48 SECTION 10. Section 13.002(i), Election Code, is amended to
 2-49 read as follows:

2-50 (i) An applicant who wishes to receive an exemption from the
 2-51 requirements of Section 63.001(b) on the basis of disability must
 2-52 submit [~~include with the person's application~~]:

2-53 (1) written documentation:
 2-54 (A) from the United States Social Security
 2-55 Administration evidencing the applicant has been determined to have
 2-56 a disability; or

2-57 (B) from the United States Department of Veterans
 2-58 Affairs evidencing the applicant has a disability rating of at
 2-59 least 50 percent; and

2-60 (2) a statement in a form prescribed by the secretary
 2-61 of state that the applicant does not have a form of identification
 2-62 acceptable under Section 63.0101.

2-63 SECTION 11. Section 13.004(c), Election Code, as amended by
 2-64 Chapters 469 (H.B. 4173), 489 (H.B. 3100), and 1146 (H.B. 2910),
 2-65 Acts of the 86th Legislature, Regular Session, 2019, is reenacted
 2-66 and amended to read as follows:

2-67 (c) The following information furnished on a registration
 2-68 application is confidential and does not constitute public
 2-69 information for purposes of Chapter 552, Government Code:

3-1 (1) a social security number;

3-2 (2) a Texas driver's license number;

3-3 (3) a number of a personal identification card issued

3-4 by the Department of Public Safety;

3-5 (4) ~~[an indication that an applicant is interested in~~

3-6 ~~working as an election judge,~~

3-7 ~~[(5)]~~ the residence address of the applicant, if the

3-8 applicant is a federal judge or state judge, the spouse of a federal

3-9 judge or state judge, the spouse of a peace officer as defined by

3-10 Article 2.12, Code of Criminal Procedure, or an individual to whom

3-11 Section 552.1175, Government Code, or Section 521.1211,

3-12 Transportation Code, applies and the applicant:

3-13 (A) included an affidavit with the registration

3-14 application describing the applicant's status under this

3-15 subdivision, if the applicant is a federal judge or state judge or

3-16 the spouse of a federal judge or state judge;

3-17 (B) provided the registrar with an affidavit

3-18 describing the applicant's status under this subdivision, if the

3-19 applicant is a federal judge or state judge or the spouse of a

3-20 federal judge or state judge; or

3-21 (C) provided the registrar with a completed form

3-22 approved by the secretary of state for the purpose of notifying the

3-23 registrar of the applicant's status under this subdivision;

3-24 (5) ~~[(6)]~~ the residence address of the applicant, if

3-25 the applicant, the applicant's child, or another person in the

3-26 applicant's household is a victim of family violence as defined by

3-27 Section 71.004, Family Code, who provided the registrar with:

3-28 (A) a copy of a protective order issued under

3-29 Chapter 85, Family Code, or a magistrate's order for emergency

3-30 protection issued under Article 17.292, Code of Criminal Procedure;

3-31 or

3-32 (B) other independent documentary evidence

3-33 necessary to show that the applicant, the applicant's child, or

3-34 another person in the applicant's household is a victim of family

3-35 violence;

3-36 (6) ~~[(7)]~~ the residence address of the applicant, if

3-37 the applicant, the applicant's child, or another person in the

3-38 applicant's household is a victim of sexual assault or abuse,

3-39 stalking, or trafficking of persons who provided the registrar

3-40 with:

3-41 (A) a copy of a protective order issued under

3-42 Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a

3-43 magistrate's order for emergency protection issued under Article

3-44 17.292, Code of Criminal Procedure; or

3-45 (B) other independent documentary evidence

3-46 necessary to show that the applicant, the applicant's child, or

3-47 another person in the applicant's household is a victim of sexual

3-48 assault or abuse, stalking, or trafficking of persons;

3-49 (7) ~~[(8)]~~ the residence address of the applicant, if

3-50 the applicant:

3-51 (A) is a participant in the address

3-52 confidentiality program administered by the attorney general under

3-53 Subchapter B, Chapter 58, Code of Criminal Procedure; and

3-54 (B) provided the registrar with proof of

3-55 certification under Article 58.059, Code of Criminal Procedure; or

3-56 (8) ~~[(9)]~~ the telephone number of any applicant

3-57 submitting documentation under Subdivision (4), (5), (6), or (7) ~~or (8)]~~.

3-58

3-59 SECTION 12. Section 13.072(d), Election Code, is amended to

3-60 read as follows:

3-61 (d) If an application clearly indicates that the applicant

3-62 resides in another county, the registrar shall forward the

3-63 application to the other county's registrar not later than the

3-64 second day after the date the application is received ~~[and, if the~~

3-65 ~~other county is not contiguous, shall deliver written notice of~~

3-66 ~~that action to the applicant not later than the seventh day after~~

3-67 ~~the date the application is received]~~. The date of submission of a

3-68 completed application to the wrong registrar is considered to be

3-69 the date of submission to the proper registrar for purposes of

4-1 determining the effective date of the registration.

4-2 SECTION 13. Section 13.142(a), Election Code, is amended to
4-3 read as follows:

4-4 (a) After approval of a registration application, the
4-5 registrar shall:

4-6 (1) prepare a voter registration certificate [~~in~~
4-7 ~~duplicate~~] and issue the original certificate to the applicant; and

4-8 (2) enter the applicant's county election precinct
4-9 number and registration number on the applicant's registration
4-10 application.

4-11 SECTION 14. Section 13.143(d-2), Election Code, is amended
4-12 to read as follows:

4-13 (d-2) For a registration application submitted by
4-14 telephonic facsimile machine to be effective, a copy of the
4-15 original registration application containing the voter's original
4-16 signature must be submitted by personal delivery or mail and be
4-17 received by the registrar not later than the fourth business day
4-18 after the transmission by telephonic facsimile machine is received.

4-19 SECTION 15. Section 15.001(a), Election Code, is amended to
4-20 read as follows:

4-21 (a) Each voter registration certificate issued must
4-22 contain:

4-23 (1) the voter's name in the form indicated by the
4-24 voter, subject to applicable requirements prescribed by Section
4-25 13.002 and by rule of the secretary of state;

4-26 (2) the voter's residence address or, if the residence
4-27 has no address, the address at which the voter receives mail and a
4-28 concise description of the location of the voter's residence;

4-29 (3) the ~~[month, day, and]~~ year of the voter's birth;

4-30 (4) the number of the county election precinct in
4-31 which the voter resides;

4-32 (5) the voter's effective date of registration if an
4-33 initial certificate;

4-34 (6) the voter's registration number;

4-35 (7) an indication of the period for which the
4-36 certificate is issued;

4-37 (8) a statement explaining the circumstances under
4-38 which the voter will receive a new certificate;

4-39 (9) a space for stamping the voter's political party
4-40 affiliation;

4-41 (10) a statement that voting with the certificate by a
4-42 person other than the person in whose name the certificate is issued
4-43 is a felony;

4-44 (11) a space for the voter's signature;

4-45 (12) a statement that the voter must sign the
4-46 certificate personally, if able to sign, immediately on receipt;

4-47 (13) a space for the voter to correct the information
4-48 on the certificate followed by a signature line;

4-49 (14) the statement: "If any information on this
4-50 certificate changes or is incorrect, correct the information in the
4-51 space provided, sign below, and return this certificate to the
4-52 voter registrar.";

4-53 (15) the registrar's mailing address and telephone
4-54 number; and

4-55 (16) the jurisdictional or distinguishing number for
4-56 the following territorial units in which the voter resides, as
4-57 determined by the voter registrar:

4-58 (A) congressional district;

4-59 (B) state senatorial district;

4-60 (C) state representative district;

4-61 (D) commissioners precinct;

4-62 (E) justice precinct;

4-63 (F) city election precinct; and

4-64 (G) school district election precinct.

4-65 SECTION 16. Section 15.022(a), Election Code, is amended to
4-66 read as follows:

4-67 (a) The registrar shall make the appropriate corrections in
4-68 the registration records, including, if necessary, deleting a
4-69 voter's name from the suspense list:

5-1 (1) after receipt of a notice of a change in
5-2 registration information under Section 15.021;
5-3 (2) after receipt of a voter's reply to a notice of
5-4 investigation given under Section 16.033;
5-5 (3) after receipt of any affidavits executed under
5-6 Section 63.006, following an election;
5-7 (4) after receipt of a voter's statement of residence
5-8 executed under Section 63.0011;
5-9 (5) before the effective date of the abolishment of a
5-10 county election precinct or a change in its boundary;
5-11 (6) after receipt of United States Postal Service
5-12 information indicating an address reclassification;
5-13 (7) after receipt of a voter's response under Section
5-14 15.053; ~~or~~
5-15 (8) after receipt of a registration application or
5-16 change of address under Chapter 20; or
5-17 (9) after notification of a data entry error of which
5-18 the voter registrar is made aware under Section 63.0051.

5-19 SECTION 17. Section 15.023, Election Code, is amended to
5-20 read as follows:
5-21 Sec. 15.023. TIME FOR CERTAIN DELETIONS FROM SUSPENSE LIST.
5-22 If the name of a voter ~~[whose residence is changed]~~ on the list of
5-23 registered voters ~~[registration records to another county election~~
5-24 ~~precinct in the same county]~~ appears on the suspense list, the
5-25 voter's name shall be deleted from the list on the date the voter
5-26 provides:
5-27 (1) a completed application to register to vote in
5-28 accordance with Section 13.002; or
5-29 (2) a correction of information under Section
5-30 15.021(d) [voter's registration in the precinct of new residence
5-31 becomes effective].

5-32 SECTION 18. Section 15.051(d), Election Code, is amended to
5-33 read as follows:
5-34 (d) The registrar shall maintain with the voter's record an
5-35 indication that a confirmation notice was sent to the voter ~~[a list~~
5-36 ~~of the confirmation notices mailed to voters, which for each notice~~
5-37 ~~must include the voter's name and the date the notice is mailed.~~
5-38 ~~The registrar shall maintain and retain the list in accordance with~~
5-39 ~~rules prescribed by the secretary of state].~~

5-40 SECTION 19. Section 15.053(a), Election Code, is amended to
5-41 read as follows:
5-42 (a) ~~The [Not later than the 30th day after the date a~~
5-43 ~~confirmation notice is mailed, the]~~ voter shall submit to the
5-44 registrar a written, signed response to the notice that confirms
5-45 the voter's current residence. The response must contain all of the
5-46 information that a person must include in an application to
5-47 register to vote under Section 13.002.

5-48 SECTION 20. Section 15.082(b), Election Code, is amended to
5-49 read as follows:
5-50 (b) The ~~[fee for each]~~ list shall be provided in accordance
5-51 with Chapter 552, Government Code ~~[or portion of a list furnished~~
5-52 ~~under this section may not exceed the actual expense incurred in~~
5-53 ~~reproducing the list or portion for the person requesting it and~~
5-54 ~~shall be uniform for each type of copy furnished. The registrar~~
5-55 ~~shall make reasonable efforts to minimize the reproduction~~
5-56 ~~expenses].~~

5-57 SECTION 21. Section 16.031(a), Election Code, is amended to
5-58 read as follows:
5-59 (a) The registrar shall cancel a voter's registration
5-60 immediately on receipt of:
5-61 (1) notice under Section 13.072(b), ~~or~~ 15.021, or
5-62 18.0681(d) or a response under Section 15.053 that the voter's
5-63 residence is outside the county;
5-64 (2) an abstract of the voter's death certificate under
5-65 Section 16.001(a) or an abstract of an application indicating that
5-66 the voter is deceased under Section 16.001(b);
5-67 (3) an abstract of a final judgment of the voter's
5-68 total mental incapacity, partial mental incapacity without the
5-69 right to vote, conviction of a felony, or disqualification under

6-1 Section 16.002, 16.003, or 16.004;

6-2 (4) notice under Section 112.012 that the voter has
6-3 applied for a limited ballot in another county;

6-4 (5) notice from a voter registration official in
6-5 another state that the voter has registered to vote outside this
6-6 state;

6-7 (6) notice from the early voting clerk under Section
6-8 101.053 that a federal postcard application submitted by an
6-9 applicant states a voting residence address located outside the
6-10 registrar's county; or

6-11 (7) notice from the secretary of state that the voter
6-12 has registered to vote in another county, as determined by the
6-13 voter's driver's license number or personal identification card
6-14 number issued by the Department of Public Safety or social security
6-15 number.

6-16 SECTION 22. Section 16.032, Election Code, is amended to
6-17 read as follows:

6-18 Sec. 16.032. CANCELLATION FOLLOWING END OF SUSPENSE LIST
6-19 PERIOD. If on November 30 following the second general election for
6-20 state and county officers that occurs after the date the voter's
6-21 name is entered on the suspense list a registered voter's name
6-22 appears on the suspense list, the registrar shall cancel the
6-23 voter's registration unless the name is to be deleted from the list
6-24 under Section 15.022 or 15.023.

6-25 SECTION 23. Section 16.0921(a), Election Code, is amended
6-26 to read as follows:

6-27 (a) Except as provided by Subsection (c), on the filing of a
6-28 sworn statement under Section 16.092 alleging a ground based on
6-29 residence, the registrar shall promptly deliver to the voter whose
6-30 registration is challenged a confirmation notice in accordance with
6-31 Section 15.051, unless the residential address provided in the
6-32 challenge for the voter is different from the voter's current
6-33 residential address indicated on the registration records.

6-34 SECTION 24. Section 18.002(c), Election Code, is amended to
6-35 read as follows:

6-36 (c) An additional copy of each list shall be furnished for
6-37 use in early voting and as needed in order to ensure all voters
6-38 eligible to vote in an election appear correctly on the original
6-39 list.

6-40 SECTION 25. Section 18.003(c), Election Code, is amended to
6-41 read as follows:

6-42 (c) An additional copy of each list shall be furnished for
6-43 use in early voting and as needed in order to ensure all voters
6-44 eligible to vote in an election appear correctly on the original
6-45 list.

6-46 SECTION 26. Section 18.005(a), Election Code, is amended to
6-47 read as follows:

6-48 (a) Each original and supplemental list of registered
6-49 voters must:

6-50 (1) contain the voter's name, date of birth, and
6-51 registration number as provided by the statewide computerized voter
6-52 registration list;

6-53 (2) contain the voter's residence address, except as
6-54 provided by Subsections (b) and (c) [~~or Section 18.0051~~];

6-55 (3) be arranged alphabetically by voter name; and

6-56 (4) contain the notation required by Section 15.111.

6-57 SECTION 27. Sections 18.061(b) and (d), Election Code, are
6-58 amended to read as follows:

6-59 (b) The statewide computerized voter registration list
6-60 must:

6-61 (1) contain the name and registration information of
6-62 each voter registered in the state;

6-63 (2) assign a unique identifier to each registered
6-64 voter; and

6-65 (3) be available to any county election official in
6-66 the state through immediate electronic access.

6-67 (d) The secretary of state may contract with counties to
6-68 provide them with electronic data services to facilitate the
6-69 implementation and maintenance of the statewide computerized voter

7-1 registration list. The secretary shall use funds collected under
7-2 the contracts to defray expenses incurred in implementing and
7-3 maintaining the statewide computerized voter registration list.

7-4 SECTION 28. Section 18.0681(d), Election Code, is amended
7-5 to read as follows:

7-6 (d) If the secretary of state determines that a voter on the
7-7 registration list has more than one registration record on file
7-8 based on a strong match, the secretary shall send notice of the
7-9 determination to the voter registrar of the [each] county with the
7-10 oldest registration record in which the voter is registered to
7-11 vote. If the voter records identified are:

7-12 (1) located in the same county, the voter registrar
7-13 may merge the records following a determination that each record
7-14 belongs to the same voter using the procedure for the correction of
7-15 registration records under Section 15.022; or

7-16 (2) located in more than one county, the registrar of
7-17 the county with the oldest record may deliver a written
7-18 confirmation notice in accordance with Section 15.051 or cancel the
7-19 registration of the voter in accordance with Section 16.031(a)(1),
7-20 provided that the voter's record in the county with the newest
7-21 registration record is not on the suspense list.

7-22 SECTION 29. Section 18.069, Election Code, is amended to
7-23 read as follows:

7-24 Sec. 18.069. VOTING HISTORY. Not later than the 30th day
7-25 after the date of the primary, runoff primary, or general election
7-26 or any special election ordered by the governor, the general
7-27 custodian of election records [registrar] shall electronically
7-28 submit to the secretary of state the record of each voter
7-29 participating in the election. The record must include a notation
7-30 of whether the voter voted on election day, voted early by personal
7-31 appearance, voted early by mail under Chapter 86, or voted early by
7-32 mail under Chapter 101.

7-33 SECTION 30. Section 31.093(a), Election Code, is amended to
7-34 read as follows:

7-35 (a) Subject to Section 41.001(d), if [If] requested to do so
7-36 by a political subdivision, the county elections administrator
7-37 shall enter into a contract to furnish the election services
7-38 requested, in accordance with a cost schedule agreed on by the
7-39 contracting parties.

7-40 SECTION 31. Section 31.096, Election Code, is amended to
7-41 read as follows:

7-42 Sec. 31.096. NONTRANSFERABLE FUNCTIONS. An election
7-43 services contract may not change:

7-44 (1) the authority with whom applications of candidates
7-45 for a place on a ballot are filed;

7-46 (2) the authority with whom documents are filed under
7-47 Title 15; or

7-48 (3) the political subdivision's requirement to
7-49 maintain office hours under Section 31.122 [authority to serve as
7-50 custodian of voted ballots or other election records, except that a
7-51 contract with a political subdivision other than a city may provide
7-52 that the county election officer will be the custodian of voted
7-53 ballots].

7-54 SECTION 32. Section 31.124(a), Election Code, is amended to
7-55 read as follows:

7-56 (a) A county election officer of each county shall hold a
7-57 meeting with the county chair of each political party to discuss, as
7-58 appropriate, the following for each primary election or general
7-59 election for state and county officers:

7-60 (1) the lists provided by each political party under
7-61 Section 85.009;

7-62 (2) the lists provided by each political party under
7-63 Section 87.002(c); ~~and~~

7-64 (3) the implementation of Subchapters A, B, C, and D,
7-65 Chapter 87; and

7-66 (4) holding a joint primary, entering into an election
7-67 services contract, and polling place locations.

7-68 SECTION 33. Section 32.114(a), Election Code, is amended to
7-69 read as follows:

8-1 (a) The county clerk shall provide one or more sessions of
8-2 training using the standardized training program and materials
8-3 developed and provided by the secretary of state under Section
8-4 32.111 for the election judges and clerks appointed to serve in
8-5 elections ordered by the governor or a county authority. Each
8-6 election judge shall complete the training program. The training
8-7 program must include specific procedures related to the early
8-8 voting ballot board and the central counting station, as
8-9 applicable. Each election clerk shall complete the part of the
8-10 training program relating to the acceptance and handling of the
8-11 identification presented by a voter to an election officer under
8-12 Section 63.001.

8-13 SECTION 34. Section 33.054, Election Code, is amended to
8-14 read as follows:

8-15 Sec. 33.054. HOURS OF SERVICE AT EARLY VOTING BALLOT BOARD
8-16 MEETING OR SIGNATURE VERIFICATION COMMITTEE MEETING. (a) A
8-17 watcher serving at the meeting place of an early voting ballot board
8-18 or signature verification committee may be present at any time the
8-19 board or committee is processing or counting ballots and until the
8-20 board or committee completes its duties. The watcher may serve
8-21 during the hours the watcher chooses, except as provided by
8-22 Subsection (b).

8-23 (b) A watcher serving at the meeting place of an early
8-24 voting ballot board may not leave during voting hours on election
8-25 day without the presiding judge's permission if the board has
8-26 recorded any votes cast on voting machines or counted any ballots,
8-27 unless the board has completed its duties and has been dismissed by
8-28 the presiding judge.

8-29 SECTION 35. Sections 41.001(a) and (b), Election Code, are
8-30 amended to read as follows:

8-31 (a) Except as otherwise provided by this subchapter, each
8-32 general or special election in this state shall be held on one of
8-33 the following dates:

- 8-34 (1) the first Saturday in May in an odd-numbered year;
- 8-35 (2) the first Saturday in May in an even-numbered
8-36 year, for an election held by a political subdivision other than a
8-37 county, or ordered by the governor; or
- 8-38 (3) the first Tuesday after the first Monday in
8-39 November.

8-40 (b) Subsection (a) does not apply to:

- 8-41 (1) a runoff election;
- 8-42 (2) an election to resolve a tie vote;
- 8-43 (3) an election held under an order of a court or other
8-44 tribunal;
- 8-45 (4) an emergency election ordered under Section
8-46 41.0011 or any resulting runoff;
- 8-47 (5) an expedited election to fill a vacancy in the
8-48 legislature held under Section 203.013;
- 8-49 (6) an election held under a statute that expressly
8-50 provides that the requirement of Subsection (a) does not apply to
8-51 the election; or
- 8-52 (7) the initial election of the members of the
8-53 governing body of a newly incorporated city.

8-54 SECTION 36. Sections 43.007(a) and (m), Election Code, are
8-55 amended to read as follows:

8-56 (a) The secretary of state shall implement a program to
8-57 allow each commissioners court participating in the program to
8-58 eliminate county election precinct polling places and establish
8-59 countywide polling places for:

- 8-60 (1) any election required to be conducted by the
8-61 county [each general election for state and county officers];
- 8-62 (2) any election held as part of a joint election
8-63 agreement with a county under Chapter 271 [each election held on the
8-64 uniform election date in May and any resulting runoff];
- 8-65 (3) any election held under contract for election
8-66 services with a county under Subchapter D, Chapter 31 [each
8-67 election on a proposed constitutional amendment];
- 8-68 (4) each primary election and runoff primary election

8-69 if:

9-1 (A) the county chair or county executive
9-2 committee of each political party participating in a joint primary
9-3 election under Section 172.126 agrees to the use of countywide
9-4 polling places; or

9-5 (B) the county chair or county executive
9-6 committee of each political party required to nominate candidates
9-7 by primary election agrees to use the same countywide polling
9-8 places; and

9-9 (5) each election of a political subdivision located
9-10 in the county that is held jointly with an election described by
9-11 Subdivision ~~[(1), (2)]~~ (3) ~~[7]~~ or (4).

9-12 (m) In adopting a methodology under Subsection (f), the
9-13 county must ensure that:

9-14 (1) each county commissioners precinct contains at
9-15 least one countywide polling place; and

9-16 (2) the total number of ~~[permanent branch and~~
9-17 ~~temporary branch]~~ polling places open for voting in a county
9-18 commissioners precinct does not exceed more than twice the number
9-19 of ~~[permanent branch and temporary branch]~~ polling places in
9-20 another county commissioners precinct.

9-21 SECTION 37. Section 52.070, Election Code, is amended by
9-22 amending Subsections (a), (b), and (e) and adding Subsection (f) to
9-23 read as follows:

9-24 (a) A shape ~~[square]~~ for voting shall be printed to the left
9-25 of each candidate's name on a ballot.

9-26 (b) Immediately below "OFFICIAL BALLOT," the following
9-27 instruction shall be printed: "Vote for the candidate of your
9-28 choice in each race by placing an 'X' or filling in the shape
9-29 ~~[square]~~ beside the candidate's name."

9-30 (e) A shape ~~[square]~~ shall be printed to the left of each
9-31 line provided for write-in voting under Section 52.066(c), but
9-32 failure to place a mark in the shape ~~[square]~~ does not affect the
9-33 counting of a write-in vote.

9-34 (f) Any variation from this instruction must be approved by
9-35 the secretary of state.

9-36 SECTION 38. Section 52.094(d), Election Code, is amended to
9-37 read as follows:

9-38 (d) ~~The [For an election held at county expense or a city~~
9-39 ~~election, on receipt of a candidate's written request accompanied~~
9-40 ~~by a stamped, self-addressed envelope, the authority conducting the~~
9-41 ~~drawing shall mail written notice of the date, hour, and place of~~
9-42 ~~the drawing to the candidate. For an election held by any other~~
9-43 ~~political subdivision, the] authority conducting the drawing shall~~
9-44 provide [mail written] notice of the date, hour, and place of the
9-45 drawing to each candidate by:

9-46 (1) written notice:

9-47 (A) mailed to ~~[, at]~~ the address stated on the
9-48 candidate's application for a place on the ballot, not later than
9-49 the fourth day before the date of the drawing; or

9-50 (B) provided at the time the candidate files an
9-51 application with the appropriate authority;

9-52 (2) telephone, if a telephone number is provided on
9-53 the candidate's application for a place on the ballot; or

9-54 (3) e-mail, if an e-mail address is provided on the
9-55 candidate's application for a place on the ballot.

9-56 SECTION 39. Chapter 63, Election Code, is amended by adding
9-57 Sections 63.005 and 63.0051 to read as follows:

9-58 Sec. 63.005. REGISTRATION OMISSIONS LIST. (a) A
9-59 registration omissions list shall be maintained by an election
9-60 officer at the polling place.

9-61 (b) With respect to each voter who is accepted for voting
9-62 but whose name is not on the list of registered voters for the
9-63 precinct in which the voter is accepted, the election officer shall
9-64 record:

9-65 (1) the voter's name, residence address, and voter
9-66 registration number, if known; and

9-67 (2) a notation of the section of this code under which
9-68 the voter is accepted that provides for accepting voters who are not
9-69 on the list.

Sec. 63.0051. CONFIRMING REGISTRATION STATUS OF VOTER. (a)

If the name of a voter who is offering to vote is not on the precinct list of registered voters, an election officer may contact the voter registrar regarding the voter's registration status.

(b) If the election officer determines the voter is a registered voter of the territory covered by the election but is offering to vote in the incorrect precinct, the election officer shall provide the correct precinct location information to the voter.

(c) Notwithstanding Section 63.009, a voter shall be accepted for voting if the voter's identity has been verified from documentation as required by Section 63.001(b) and it can be determined from the voter registrar that:

(1) the voter's registration was improperly canceled and has been reinstated under Section 16.037;

(2) an error in the voter registration record caused the voter's name to not appear on the list of registered voters, and the error has been corrected under Section 15.022; or

(3) the voter's name has been inadvertently left off the list of registered voters for the precinct.

(d) After the voter is accepted under Subsection (c), an election officer shall enter the voter's name on the registration omissions list.

(e) The voter shall be accepted for provisional voting under Section 63.011 if the election officer cannot determine that the voter is a registered voter of the territory covered by the election in which the voter is offering to vote.

SECTION 40. Section 65.052, Election Code, is amended to read as follows:

Sec. 65.052. DUTY OF VOTER REGISTRAR. The secretary of state shall prescribe procedures by which the voter registrar of the county in which a provisional ballot is cast shall provide assistance to the early voting ballot board in executing its authority under this subchapter. In an election described by Section 65.051(a-1), the procedures must allow for 10 [~~seven~~] calendar days for the voter registrar to review a provisional voter's eligibility.

SECTION 41. Subchapter B, Chapter 65, Election Code, is amended by adding Section 65.0581 to read as follows:

Sec. 65.0581. PUBLIC INSPECTION OF PROVISIONAL VOTING RECORDS. Provisional voting records are not available for public inspection until the first business day after the date the early voting ballot board completes the verification and counting of provisional ballots under Section 65.051 and delivers the provisional ballots and other provisional voting records to the general custodian of election records.

SECTION 42. Chapter 82, Election Code, is amended by adding Section 82.008 to read as follows:

Sec. 82.008. INVOLUNTARY CIVIL COMMITMENT. A qualified voter is eligible for early voting by mail if, at the time the voter's early voting ballot application is submitted, the voter is a person who is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, and is ordered as a condition of civil commitment to reside in a facility operated by or under contract with the Texas Civil Commitment Office.

SECTION 43. Section 83.010, Election Code, is amended to read as follows:

Sec. 83.010. PUBLIC NOTICE OF CLERK'S MAILING ADDRESS. An election order and the election notice must state the early voting clerk's official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and Internet website, if the early voting clerk has an Internet website [~~, except for an election in which a county clerk or city secretary is the early voting clerk under Section 83.002 or 83.005~~].

SECTION 44. 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

11-1 applicant is registered to vote;

11-2 (2) for an application for a ballot to be voted by mail

11-3 on the ground of absence from the county of residence, the address

11-4 outside the applicant's county of residence to which the ballot is

11-5 to be mailed;

11-6 (3) for an application for a ballot to be voted by mail

11-7 on the ground of age or disability, the address of the hospital,

11-8 nursing home or other long-term care facility, or retirement

11-9 center, or of a person related to the applicant within the second

11-10 degree by affinity or the third degree by consanguinity, as

11-11 determined under Chapter 573, Government Code, if the applicant is

11-12 living at that address and that address is different from the

11-13 address at which the applicant is registered to vote;

11-14 (4) for an application for a ballot to be voted by mail

11-15 on the ground of confinement in jail, the address of the jail or of a

11-16 person related to the applicant within the degree described by

11-17 Subdivision (3);

11-18 (5) for an application for a ballot to be voted by mail

11-19 on any ground, an indication of each election for which the

11-20 applicant is applying for a ballot; ~~and~~

11-21 (6) an indication of the ground of eligibility for

11-22 early voting; and

11-23 (7) for an application for a ballot to be voted by mail

11-24 on the ground of involuntary civil commitment, the address of the

11-25 facility operated by or under contract with the Texas Civil

11-26 Commitment Office or of a person related to the applicant within the

11-27 degree of consanguinity described by Subdivision (3).

11-28 SECTION 45. Section 84.007(e), Election Code, is amended to

11-29 read as follows:

11-30 (e) The early voting clerk shall designate an e-mail address

11-31 for receipt of an application under Subsection (b)(4). The

11-32 secretary of state shall include the e-mail address designated by

11-33 each early voting clerk ~~addresses~~ on the secretary of state's

11-34 website.

11-35 SECTION 46. Section 84.008(a), Election Code, is amended to

11-36 read as follows:

11-37 (a) Except as otherwise provided by this code, an ~~An~~

11-38 applicant for a ballot to be voted by mail may submit the

11-39 application by delivering it in person to the early voting clerk if

11-40 the application is submitted not later than the deadline provided

11-41 by Section 84.007(c) ~~close of regular business in the clerk's~~

11-42 ~~office on the day before the first day of the period for early~~

11-43 ~~voting by personal appearance~~.

11-44 SECTION 47. Section 84.011(a), Election Code, is amended to

11-45 read as follows:

11-46 (a) The officially prescribed application form for an early

11-47 voting ballot must include:

11-48 (1) immediately preceding the signature space the

11-49 statement: "I certify that the information given in this

11-50 application is true, and I understand that giving false information

11-51 in this application is a crime.";

11-52 (2) a statement informing the applicant of the

11-53 offenses prescribed by Sections 84.003 and 84.004;

11-54 (3) spaces for entering an applicant's voter

11-55 registration number and county election precinct of registration,

11-56 with a statement informing the applicant that failure to furnish

11-57 that information does not invalidate the application; and

11-58 (4) on an application for a ballot to be voted by mail:

11-59 (A) a space for an applicant applying on the

11-60 ground of absence from the county of residence to indicate the date

11-61 on or after which the applicant can receive mail at the address

11-62 outside the county;

11-63 (B) a space for indicating the fact that an

11-64 applicant whose application is signed by a witness cannot make the

11-65 applicant's mark and a space for indicating the relationship or

11-66 lack of relationship of the witness to the applicant;

11-67 (C) a space for entering an applicant's telephone

11-68 number, with a statement informing the applicant that failure to

11-69 furnish that information does not invalidate the application;

12-1 (D) a space or box for an applicant applying on
 12-2 the ground of age or disability to indicate that the address to
 12-3 which the ballot is to be mailed is the address of a facility or
 12-4 relative described by Section 84.002(a)(3), if applicable;
 12-5 (E) a space or box for an applicant applying on
 12-6 the ground of confinement in jail or involuntary civil commitment
 12-7 to indicate that the address to which the ballot is to be mailed is
 12-8 the address of a relative described by Section 84.002(a)(4) or (7),
 12-9 if applicable;
 12-10 (F) a space for an applicant applying on the
 12-11 ground of age or disability to indicate if the application is an
 12-12 application under Section 86.0015;
 12-13 (G) spaces for entering the signature, printed
 12-14 name, and residence address of any person assisting the applicant;
 12-15 (H) a statement informing the applicant of the
 12-16 condition prescribed by Section 81.005; and
 12-17 (I) a statement informing the applicant of the
 12-18 requirement prescribed by Section 86.003(c).
 12-19 SECTION 48. Section 85.004, Election Code, is amended to
 12-20 read as follows:
 12-21 Sec. 85.004. PUBLIC NOTICE OF MAIN POLLING PLACE LOCATION.
 12-22 The election order and the election notice must designate and state
 12-23 the location of the main early voting polling place.
 12-24 SECTION 49. Section 85.007(d), Election Code, is amended to
 12-25 read as follows:
 12-26 (d) Any notice required under this section must also be
 12-27 posted:
 12-28 (1) on the Internet website of the authority ordering
 12-29 the election, if the authority maintains a website; and
 12-30 (2) for a primary election or the general election for
 12-31 state and county officers, by the secretary of state on the
 12-32 secretary's Internet website.
 12-33 SECTION 50. Section 85.062(d), Election Code, is amended to
 12-34 read as follows:
 12-35 (d) In a primary election, the general election for state
 12-36 and county officers, or a special election to fill a vacancy in the
 12-37 legislature or in congress:
 12-38 (1) the commissioners court of a county with a
 12-39 population of 400,000 or more shall establish one or more early
 12-40 voting polling places other than the main early voting polling
 12-41 place in each state representative district containing territory
 12-42 covered by the election, except that the polling place or places
 12-43 shall be established in the state senatorial or congressional
 12-44 district, as applicable, in a special election to fill a vacancy in
 12-45 the office of state senator or United States representative;
 12-46 (2) the commissioners court of a county with a
 12-47 population of 120,000 or more but less than 400,000 shall establish
 12-48 one or more early voting polling places other than the main early
 12-49 voting polling place in each commissioners precinct containing
 12-50 territory covered by the election; and
 12-51 (3) the early voting clerk [~~commissioners court~~] of a
 12-52 county with a population of 100,000 or more but less than 120,000
 12-53 shall establish one or more early voting polling places as
 12-54 described by Subdivision (2) in each precinct for which the early
 12-55 voting clerk [~~commissioners court~~] receives in time to enable
 12-56 compliance with Section 85.067 a written request for that action
 12-57 submitted by at least 15 registered voters of that precinct.
 12-58 SECTION 51. Section 86.0015(c), Election Code, is amended
 12-59 to read as follows:
 12-60 (c) In an election of a political subdivision located in a
 12-61 county in which the county clerk is not the early voting clerk, the
 12-62 county clerk shall provide the early voting clerk of the political
 12-63 subdivision that is holding the election a list of voters in the
 12-64 portion of the political subdivision located in the county who have
 12-65 ballot applications on file under this section along with copies of
 12-66 the applications submitted by those voters. The early voting clerk
 12-67 shall provide a ballot to be voted by mail to each voter on the list
 12-68 for whom the early voting clerk received a copy of an application
 12-69 submitted under this section.

13-1 SECTION 52. Section 86.002(f), Election Code, is amended to
 13-2 read as follows:

13-3 (f) The clerk shall include with the balloting materials:
 13-4 (1) a notice of the clerk's physical address for
 13-5 purposes of return by common or contract carrier or personal
 13-6 delivery in accordance with Section 86.006(a-1); and
 13-7 (2) the list of declared write-in candidates for the
 13-8 election, if applicable.

13-9 SECTION 53. Sections 86.003(c) and (d), Election Code, are
 13-10 amended to read as follows:

13-11 (c) The address to which the balloting materials must be
 13-12 addressed is the address at which the voter is registered to vote,
 13-13 or the registered mailing address if different, unless the ground
 13-14 for voting by mail is:

13-15 (1) absence from the county of residence, in which
 13-16 case the address must be an address outside the voter's county of
 13-17 residence;

13-18 (2) confinement in jail, in which case the address
 13-19 must be the address of the jail or of a relative described by
 13-20 Section 84.002(a)(4); [~~or~~]

13-21 (3) age or disability and the voter is living at a
 13-22 hospital, nursing home or other long-term care facility, or
 13-23 retirement center, or with a relative described by Section
 13-24 84.002(a)(3), in which case the address must be the address of that
 13-25 facility or relative; or

13-26 (4) involuntary civil commitment, in which case the
 13-27 address must be the address of the facility or of a relative
 13-28 described by Section 84.002(a)(7).

13-29 (d) If the applicable address specified in a voter's
 13-30 application is an address other than that prescribed by Subsection
 13-31 (c) or subject to Section 86.002(a), the voter's application shall
 13-32 be rejected in accordance with Section 86.001(c).

13-33 SECTION 54. Section 86.009, Election Code, is amended by
 13-34 amending Subsection (e) and adding Subsection (f) to read as
 13-35 follows:

13-36 (e) Except as provided by Subsection (f), a [A] voter's
 13-37 defective ballot that is timely returned to the clerk as a marked
 13-38 ballot shall be treated as:

13-39 (1) a marked ballot not timely returned if the
 13-40 corrected ballot is timely returned as a marked ballot by the close
 13-41 of the polls on election day; or

13-42 (2) as the voter's ballot for the election if the
 13-43 corrected ballot is not timely returned by the close of the polls on
 13-44 election day.

13-45 (f) A ballot to be voted by mail under Chapter 101 corrected
 13-46 under this section may be counted if it is timely returned as
 13-47 required by Section 101.057.

13-48 SECTION 55. Section 87.0222(a), Election Code, is amended
 13-49 to read as follows:

13-50 (a) Notwithstanding Section 87.024, in an election
 13-51 conducted by an authority of a county with a population of 100,000
 13-52 or more, or conducted jointly with such a county or conducted with
 13-53 such a county through a contract for election services, the jacket
 13-54 envelopes containing the early voting ballots voted by mail may be
 13-55 delivered to the board between the end of the ninth day before the
 13-56 last day of the period for early voting by personal appearance and
 13-57 the closing of the polls on election day, or as soon after closing
 13-58 as practicable, at the time or times specified by the presiding
 13-59 judge of the board.

13-60 SECTION 56. Section 87.0241(b), Election Code, is amended
 13-61 to read as follows:

13-62 (b) The board may not count early voting ballots until:

13-63 (1) the polls open on election day; or

13-64 (2) in an election conducted by an authority of a
 13-65 county with a population of 100,000 or more, or conducted jointly
 13-66 with such a county or conducted with such a county through a
 13-67 contract for election services, the end of the period for early
 13-68 voting by personal appearance.

13-69 SECTION 57. Section 101.001, Election Code, is amended to

14-1 read as follows:

14-2 Sec. 101.001. ELIGIBILITY. A person is eligible for early
14-3 voting by mail as provided by this chapter if:

14-4 (1) the person is qualified to vote in this state or,
14-5 if not registered to vote in this state, would be qualified if
14-6 registered; and

14-7 (2) the person is:

14-8 (A) a member of the armed forces of the United
14-9 States, or the spouse or a dependent of a member;

14-10 (B) a member of the merchant marine of the United
14-11 States, or the spouse or a dependent of a member;

14-12 (B-1) a member of the Texas National Guard or the
14-13 National Guard of another state or a member of a reserve component
14-14 of the armed forces of the United States serving on active duty
14-15 under an order of the president of the United States or activated on
14-16 state orders, or the spouse or dependent of a member; or

14-17 (C) domiciled in this state but temporarily
14-18 living outside the territorial limits of the United States and the
14-19 District of Columbia.

14-20 SECTION 58. Section 101.003(1), Election Code, is amended
14-21 to read as follows:

14-22 (1) "Federal postcard application" means an
14-23 application for a ballot to be voted under this chapter submitted on
14-24 the official federal form prescribed under the federal Uniformed
14-25 and Overseas Citizens Absentee Voting Act (52 U.S.C. Sections 20301
14-26 through 20311) [~~42 U.S.C. Section 1973ff et seq.~~].

14-27 SECTION 59. Section 101.008, Election Code, is amended to
14-28 read as follows:

14-29 Sec. 101.008. STATUS OF APPLICATION OR BALLOT VOTED. The
14-30 secretary of state, in coordination with county [~~local~~] election
14-31 officials, shall implement an electronic free-access system by
14-32 which a person eligible for early voting by mail under this chapter
14-33 or Chapter 114 may determine by telephone, by e-mail, or over the
14-34 Internet whether:

14-35 (1) the person's federal postcard application or other
14-36 registration or ballot application has been received and accepted;
14-37 and

14-38 (2) the person's ballot has been received and the
14-39 current status of the ballot.

14-40 SECTION 60. Sections 101.052(a-1) and (c), Election Code,
14-41 are amended to read as follows:

14-42 (a-1) A federal postcard application must be submitted by:

14-43 (1) mail; [~~or~~]

14-44 (2) electronic transmission of an image of the
14-45 application under procedures prescribed by the secretary of state;

14-46 (3) in-person delivery in accordance with Section
14-47 84.008; or

14-48 (4) common or contract carrier.

14-49 (c) An application is considered submitted in the following
14-50 calendar year for purposes of this section if:

14-51 (1) the applicant is eligible to vote in an election
14-52 occurring in January or February of the next calendar year; and

14-53 (2) the application is submitted in the last 60 days of
14-54 a calendar year but not earlier than the 60th day before the date of
14-55 the January or February election [A federal postcard application
14-56 requesting a ballot for an election to be held in January or
14-57 February may be submitted in the preceding calendar year but not
14-58 earlier than the earliest date for submitting a regular application
14-59 for a ballot to be voted by mail].

14-60 SECTION 61. Section 101.054(c), Election Code, is amended
14-61 to read as follows:

14-62 (c) An application shall be treated as if it requests a
14-63 ballot for a runoff election that results from an election for which
14-64 a ballot is requested, including a runoff election that occurs in
14-65 the next calendar year.

14-66 SECTION 62. Section 101.056(a), Election Code, is amended
14-67 to read as follows:

14-68 (a) The balloting materials provided under this subchapter
14-69 shall be airmailed to the voter free of United States postage, as

15-1 provided by the federal Uniformed and Overseas Citizens Absentee
 15-2 Voting Act (52 U.S.C. Sections 20301 through 20311) [~~42 U.S.C.~~
 15-3 ~~Section 1973ff et seq.~~], in an envelope labeled "Official Election
 15-4 Balloting Material - via Airmail." The secretary of state shall
 15-5 provide early voting clerks with instructions on compliance with
 15-6 this subsection.

15-7 SECTION 63. Section 101.057(b), Election Code, is amended
 15-8 to read as follows:

15-9 (b) A ballot voted by a voter described by Section
 15-10 101.001(2)(A), ~~[or]~~ (B), or (B-1) shall be counted if the ballot
 15-11 arrives at the address on the carrier envelope not later than the
 15-12 sixth day after the date of the election, except that if that date
 15-13 falls on a Saturday, Sunday, or legal state or national holiday,
 15-14 then the deadline is extended to the next regular business day.

15-15 SECTION 64. Section 101.058, Election Code, is amended to
 15-16 read as follows:

15-17 Sec. 101.058. OFFICIAL CARRIER ENVELOPE. The officially
 15-18 prescribed carrier envelope for voting under this subchapter shall
 15-19 be prepared so that it can be mailed free of United States postage,
 15-20 as provided by the federal Uniformed and Overseas Citizens Absentee
 15-21 Voting Act (52 U.S.C. Sections 20301 through 20311) [~~42 U.S.C.~~
 15-22 ~~Section 1973ff et seq.~~], and must contain the label prescribed by
 15-23 Section 101.056(a) for the envelope in which the balloting
 15-24 materials are sent to a voter. The secretary of state shall provide
 15-25 early voting clerks with instructions on compliance with this
 15-26 section.

15-27 SECTION 65. Section 101.102(b), Election Code, is amended
 15-28 to read as follows:

15-29 (b) The early voting clerk shall grant a request made under
 15-30 this section for the e-mail transmission of balloting materials if:

15-31 (1) the requestor has submitted a valid federal
 15-32 postcard application and:

15-33 (A) if the requestor is a person described by
 15-34 Section 101.001(2)(C), has provided a current mailing address that
 15-35 is located outside the United States; or

15-36 (B) if the requestor is a person described by
 15-37 Section 101.001(2)(A), ~~[or]~~ (B), or (B-1), has provided a current
 15-38 mailing address that is located outside the requestor's county of
 15-39 residence;

15-40 (2) the requestor provides an e-mail address:

15-41 (A) that corresponds to the address on file with
 15-42 the requestor's federal postcard application; or

15-43 (B) stated on a newly submitted federal postcard
 15-44 application;

15-45 (3) the request is submitted on or before the deadline
 15-46 prescribed by Section 84.007 [~~seventh day before the date of the~~
 15-47 ~~election~~]; and

15-48 (4) a marked ballot for the election from the
 15-49 requestor has not been received by the early voting clerk.

15-50 SECTION 66. Section 101.107(a), Election Code, is amended
 15-51 to read as follows:

15-52 (a) A voter described by Section 101.001(2)(A), ~~[or]~~ (B), or
 15-53 (B-1) must be voting from outside the voter's county of residence.
 15-54 A voter described by Section 101.001(2)(C) must be voting from
 15-55 outside the United States.

15-56 SECTION 67. Section 102.002, Election Code, is amended to
 15-57 read as follows:

15-58 Sec. 102.002. CONTENTS OF APPLICATION. An application for
 15-59 a late ballot must comply with the applicable provisions of Section
 15-60 84.002 and must include or be accompanied by a certificate of a
 15-61 licensed physician or chiropractor or accredited Christian Science
 15-62 practitioner in substantially the following form:

15-63 "This is to certify that I know that _____ has a sickness
 15-64 or physical condition that will prevent him or her from appearing at
 15-65 the polling place for an election to be held on the _____ day
 15-66 of _____, 20 [19]____, without a likelihood of needing personal
 15-67 assistance or of injuring his or her health and that the sickness or
 15-68 physical condition originated on or after _____.

15-69 "Witness my hand at _____, Texas, this _____ day of

16-1 _____, 20 [~~19~~]____.

16-2
 16-3 (signature of physician,
 16-4 chiropractor, or practitioner)"

16-5 SECTION 68. Section 113.003, Election Code, is amended to
 16-6 read as follows:

16-7 Sec. 113.003. SUBMITTING APPLICATION FOR MAIL BALLOT. An
 16-8 application for a presidential ballot to be voted by mail must be
 16-9 submitted to the early voting clerk serving the county of the
 16-10 applicant's most recent registration to vote by the deadline
 16-11 prescribed by Section 84.007.

16-12 SECTION 69. Section 141.032(g), Election Code, is amended
 16-13 to read as follows:

16-14 (g) Except as otherwise provided by this code [~~After the~~
 16-15 ~~filing deadline~~]:

16-16 (1) a candidate may not amend an application filed
 16-17 under Section 141.031; and

16-18 (2) the authority with whom the application is filed
 16-19 may not accept an amendment to an application filed under Section
 16-20 141.031.

16-21 SECTION 70. Section 141.034(a), Election Code, is amended
 16-22 to read as follows:

16-23 (a) An application for a place on the ballot may not be
 16-24 challenged for compliance with the applicable requirements as to
 16-25 form, content, and procedure after the 50th day before the date of
 16-26 [day before any ballot to be voted early by mail is mailed to an
 16-27 address in the authority's jurisdiction for] the election for which
 16-28 the application is made.

16-29 SECTION 71. The heading to Section 141.040, Election Code,
 16-30 is amended to read as follows:

16-31 Sec. 141.040. NOTICE OF DEADLINES AND FILING METHODS.

16-32 SECTION 72. Section 141.040, Election Code, is amended by
 16-33 adding Subsection (c) to read as follows:

16-34 (c) An authority shall designate an e-mail address in the
 16-35 notice required by this section for the purpose of filing an
 16-36 application for a place on the ballot under Section 143.004.

16-37 SECTION 73. Section 141.063, Election Code, is amended by
 16-38 adding Subsection (e) to read as follows:

16-39 (e) The signer's residence address and registration address
 16-40 are not required to be the same if the signer would otherwise be
 16-41 able to vote for that office under Section 11.004 or 112.002.

16-42 SECTION 74. Chapter 141, Election Code, is amended by
 16-43 adding Subchapter D, and a heading is added to that subchapter to
 16-44 read as follows:

16-45 SUBCHAPTER D. COERCION OF CANDIDACY

16-46 SECTION 75. Section 2.054, Election Code, is transferred to
 16-47 Subchapter D, Chapter 141, Election Code, as added by this Act,
 16-48 redesignated as Section 141.101, Election Code, and amended to read
 16-49 as follows:

16-50 Sec. 141.101 [~~2.054~~]. COERCION AGAINST CANDIDACY
 16-51 PROHIBITED. (a) A [~~In an election that may be subject to this~~
 16-52 ~~subchapter, a~~] person commits an offense if by intimidation or by
 16-53 means of coercion the person influences or attempts to influence a
 16-54 person to:

16-55 (1) not file an application for a place on the ballot
 16-56 or a declaration of write-in candidacy; or

16-57 (2) withdraw as a candidate.

16-58 (b) In this section, "coercion" has the meaning assigned by
 16-59 Section 1.07, Penal Code.

16-60 (c) An offense under this section is a Class A misdemeanor
 16-61 unless the intimidation or coercion is a threat to commit a felony,
 16-62 in which event it is a felony of the third degree.

16-63 SECTION 76. Section 143.004, Election Code, is amended to
 16-64 read as follows:

16-65 Sec. 143.004. APPLICATION REQUIRED. (a) Subject to
 16-66 Section 143.005, to be entitled to a place on the ballot, a
 16-67 candidate must make an application for a place on the ballot.

16-68 (b) An application, other than an application required to be
 16-69 accompanied by fee, may be filed through e-mail transmission of the

17-1 completed application in a scanned format to the e-mail address
 17-2 designated by the filing authority in the notice required under
 17-3 Section 141.040.

17-4 SECTION 77. Section 144.003(a), Election Code, is amended
 17-5 to read as follows:

17-6 (a) Except as otherwise provided by law, to be entitled to a
 17-7 place on the ballot, a candidate must make an application for a
 17-8 place on the ballot. An application, other than an application
 17-9 required to be accompanied by fee, may be filed through e-mail
 17-10 transmission of the completed application in a scanned format to
 17-11 the e-mail address designated by the filing authority in the notice
 17-12 required under Section 141.040.

17-13 SECTION 78. Section 145.003, Election Code, is amended by
 17-14 adding Subsection (j) to read as follows:

17-15 (j) This section does not apply to a challenge on an
 17-16 application under Section 141.034.

17-17 SECTION 79. Section 192.033(d), Election Code, is amended
 17-18 to read as follows:

17-19 (d) In conjunction with the certification required under
 17-20 Subsection (a), the secretary of state shall include appropriate
 17-21 ballot translation language, as applicable, for each language
 17-22 certified statewide or in a specific county by the director of the
 17-23 census under the federal Voting Rights Act (52 U.S.C. Section
 17-24 10503) [~~42 U.S.C. Section 1973aa-1a~~].

17-25 SECTION 80. Subchapter B, Chapter 201, Election Code, is
 17-26 amended by adding Section 201.030 to read as follows:

17-27 Sec. 201.030. VACANCY RESULTING FROM RECALL ELECTION. For
 17-28 cities conducting recall elections, a vacancy in the officer's
 17-29 office occurs on the date of the final canvass of a successful
 17-30 recall election.

17-31 SECTION 81. Section 203.004(b), Election Code, is amended
 17-32 to read as follows:

17-33 (b) If the election is to be held as an emergency election,
 17-34 it shall be held on a Tuesday or Saturday occurring on or after the
 17-35 36th day and on or before the 64th [~~50th~~] day after the date the
 17-36 election is ordered.

17-37 SECTION 82. Section 212.001, Election Code, is amended to
 17-38 read as follows:

17-39 Sec. 212.001. GENERAL REQUIREMENTS FOR RECOUNT DOCUMENT. A
 17-40 recount document submitted under this title must:

17-41 (1) be in writing;
 17-42 (2) identify the office or measure for which a recount
 17-43 is desired;

17-44 (3) state the grounds for the recount;

17-45 (4) state the side of the measure that the person
 17-46 requesting the recount represents, if applicable;

17-47 (5) identify the election precincts, grouped by county
 17-48 or other appropriate territorial unit if the election involves more
 17-49 than one local canvassing authority, for which a recount is desired
 17-50 and must indicate the method of voting used in each precinct;

17-51 (6) be signed by:

17-52 (A) the person requesting the recount or, if
 17-53 there is more than one, any one or more of them; or

17-54 (B) an agent of the person requesting the
 17-55 recount;

17-56 (7) state each requesting person's name, residence
 17-57 address, and, if authorization to obtain the recount is based on
 17-58 eligibility to vote in the election, voter registration number, and
 17-59 county of registration if the election covers territory in more
 17-60 than one county;

17-61 (8) designate an agent who is a resident of this state
 17-62 to receive notice under this title on behalf of the person
 17-63 requesting the recount if:

17-64 (A) the person requesting the recount is not a
 17-65 resident of this state; or

17-66 (B) there is more than one person requesting the
 17-67 recount;

17-68 (9) state the mailing address and at least one
 17-69 telephone number, if any, at which the person requesting the

18-1 recount or an agent, identified by name, may receive notice given
18-2 under this title;

18-3 (10) state the mailing address, e-mail address, if
18-4 any, and at least one telephone number, if any, at which the
18-5 opposing candidates for the office or their agents, identified by
18-6 name, may receive notice given under this title; and

18-7 (11) be accompanied by a deposit as provided by
18-8 Subchapter E.

18-9 SECTION 83. Section 212.002(b), Election Code, is amended
18-10 to read as follows:

18-11 (b) The designation is not effective unless the document
18-12 states the designee's name, address, e-mail address, if any, and
18-13 telephone number, if any.

18-14 SECTION 84. Section 212.028(a), Election Code, is amended
18-15 to read as follows:

18-16 (a) Except as provided by Subsection (b), a petition for an
18-17 initial recount must be submitted by ~~[the later of:~~

18-18 ~~[(1) 5 p.m. of the fifth day after election day; or~~

18-19 ~~[(2)] 5 p.m. of the second day after the date the~~
18-20 canvassing authority to whose presiding officer the petition must
18-21 be submitted completes its canvass of the original election
18-22 returns.

18-23 SECTION 85. Section 212.031(a), Election Code, is amended
18-24 to read as follows:

18-25 (a) If a recount petition complies with the applicable
18-26 requirements, the recount coordinator shall approve the petition
18-27 and note on the petition its approved status and the date of the
18-28 approval. The recount coordinator shall immediately notify the
18-29 recount supervisor of the approval. The recount supervisor shall,
18-30 with the written approval of the recount coordinator, order the
18-31 recount to be held on the later of [a date occurring not later than]
18-32 the seventh day after the date the petition is determined to comply
18-33 with the applicable requirements or the day after all ballots have
18-34 been delivered to the general custodian of election records.

18-35 SECTION 86. Section 212.083, Election Code, is amended to
18-36 read as follows:

18-37 Sec. 212.083. DEADLINE FOR SUBMITTING PETITION. The
18-38 deadline for submitting a recount petition under this subchapter is
18-39 ~~[the later of:~~

18-40 ~~[(1) 2 p.m. of the third day after election day; or~~

18-41 ~~[(2)] 2 p.m. of the first day after the date of the~~
18-42 local canvass.

18-43 SECTION 87. Section 212.112, Election Code, is amended to
18-44 read as follows:

18-45 Sec. 212.112. AMOUNT OF DEPOSIT. The amount of the recount
18-46 deposit is:

18-47 (1) \$60 for each election day polling location or
18-48 precinct, whichever results in a smaller amount, in which regular
18-49 paper ballots were used; and

18-50 (2) \$100 for each election day polling location or
18-51 precinct, whichever results in a smaller amount, in which an
18-52 electronic voting system was used.

18-53 SECTION 88. Section 216.003, Election Code, is amended to
18-54 read as follows:

18-55 Sec. 216.003. INITIATING AUTOMATIC RECOUNT. For purposes
18-56 of initiating an automatic recount, the authority designated under
18-57 Section 212.026 shall order the recount [request the recount in the
18-58 same manner as a recount petitioner under this title].

18-59 SECTION 89. Section 272.009, Election Code, is amended by
18-60 adding Subsection (c) to read as follows:

18-61 (c) To be eligible to serve as a clerk under this section, a
18-62 person must:

18-63 (1) be a qualified voter of the state and satisfy any
18-64 additional eligibility requirements prescribed by written order of
18-65 the commissioners court; or

18-66 (2) meet the eligibility requirements of a student
18-67 election clerk under Section 32.0511.

18-68 SECTION 90. Section 277.002, Election Code, is amended by
18-69 adding Subsection (f) to read as follows:

19-1 (f) The signer's residence address and the address listed on
19-2 the signer's registration are not required to be the same if the
19-3 signer is eligible to vote under Section 11.004 or 112.002.

19-4 SECTION 91. Section 277.0024, Election Code, is amended to
19-5 read as follows:

19-6 Sec. 277.0024. COMPUTING NUMBER OF SIGNATURES. (a) Except
19-7 as provided by Subsection (b), if [~~if~~] the minimum number of
19-8 signatures required for a petition is determined by a computation
19-9 applied to the number of registered voters of a particular
19-10 territory, voters whose names appear on the list of registered
19-11 voters with the notation "S", or a similar notation, shall be
19-12 excluded from the computation.

19-13 (b) The signature of a voter whose name appears on the list
19-14 of registered voters with the notation "S", or a similar notation,
19-15 is considered valid if the voter:

19-16 (1) is otherwise eligible to vote in the territory;
19-17 and

19-18 (2) provides a residence address located in the
19-19 territory.

19-20 SECTION 92. The following provisions of the Election Code
19-21 are repealed:

- 19-22 (1) Sections 15.082(c) and (d);
- 19-23 (2) Subchapter F, Chapter 15;
- 19-24 (3) Section 18.0051;
- 19-25 (4) Section 18.008(c);
- 19-26 (5) Section 31.099(b);
- 19-27 (6) Section 42.061(c);
- 19-28 (7) Section 84.008(b); and
- 19-29 (8) Section 105.002.

19-30 SECTION 93. This Act takes effect September 1, 2021.

19-31 * * * * *