

1-1 By: Zaffirini S.B. No. 1018
 1-2 (In the Senate - Filed March 4, 2021; March 18, 2021, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 March 30, 2021, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 7, Nays 0; March 30, 2021,
 1-6 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 S.B. No. 1018 By: Birdwell

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

1-21 relating to an early voting ballot voted by mail.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Section 84.032(c), Election Code, is amended to
 1-24 read as follows:
 1-25 (c) An applicant may submit a request after the close of
 1-26 early voting by personal appearance by appearing in person and:
 1-27 (1) returning the ballot to be voted by mail to the
 1-28 early voting clerk; or
 1-29 (2) executing an affidavit that the applicant:
 1-30 (A) has not received the ballot to be voted by
 1-31 mail; ~~or~~
 1-32 (B) never requested a ballot to be voted by mail;
 1-33 or
 1-34 (C) received notice of a defect under Section
 1-35 87.0271(b) or 87.0411(b).
 1-36 SECTION 2. Subchapter B, Chapter 87, Election Code, is
 1-37 amended by adding Section 87.0271 to read as follows:
 1-38 Sec. 87.0271. OPPORTUNITY TO CORRECT DEFECT: SIGNATURE
 1-39 VERIFICATION COMMITTEE. (a) This section applies to an early
 1-40 voting ballot voted by mail:
 1-41 (1) for which the voter did not sign the carrier
 1-42 envelope certificate;
 1-43 (2) for which it cannot immediately be determined
 1-44 whether the signature on the carrier envelope certificate is that
 1-45 of the voter;
 1-46 (3) missing any required statement of residence; or
 1-47 (4) containing incomplete information with respect to
 1-48 a witness.
 1-49 (b) Before deciding whether to accept or reject a timely
 1-50 delivered ballot under Section 87.027, the signature verification
 1-51 committee may:
 1-52 (1) return the carrier envelope to the voter by mail,
 1-53 if the signature verification committee determines that it would be
 1-54 possible to correct the defect and return the carrier envelope
 1-55 before the time the polls are required to close on election day; or
 1-56 (2) notify the voter of the defect by telephone or
 1-57 e-mail and inform the voter that the voter may come to the early
 1-58 voting clerk's office in person to:
 1-59 (A) correct the defect; or
 1-60 (B) request to have the voter's application to

2-1 vote by mail canceled under Section 84.032.
2-2 (c) If the signature verification committee takes an action
2-3 described by Subsection (b), the committee must take either action
2-4 described by that subsection with respect to each ballot in the
2-5 election to which this section applies.

2-6 (d) A poll watcher is entitled to observe an action taken
2-7 under Subsection (b).

2-8 (e) The secretary of state may prescribe any procedures
2-9 necessary to implement this section.

2-10 SECTION 3. Subchapter C, Chapter 87, Election Code, is
2-11 amended by adding Section 87.0411 to read as follows:

2-12 Sec. 87.0411. OPPORTUNITY TO CORRECT DEFECT: EARLY VOTING
2-13 BALLOT BOARD. (a) This section applies to an early voting ballot
2-14 voted by mail:

2-15 (1) for which the voter did not sign the carrier
2-16 envelope certificate;

2-17 (2) for which it cannot immediately be determined
2-18 whether the signature on the carrier envelope certificate is that
2-19 of the voter;

2-20 (3) missing any required statement of residence; or

2-21 (4) containing incomplete information with respect to
2-22 a witness.

2-23 (b) Before deciding whether to accept or reject a timely
2-24 delivered ballot under Section 87.041, the early voting ballot
2-25 board may:

2-26 (1) return the carrier envelope to the voter by mail,
2-27 if the early voting ballot board determines that it would be
2-28 possible to correct the defect and return the carrier envelope
2-29 before the time the polls are required to close on election day; or

2-30 (2) notify the voter of the defect by telephone or
2-31 e-mail and inform the voter that the voter may come to the early
2-32 voting clerk's office in person to:

2-33 (A) correct the defect; or

2-34 (B) request to have the voter's application to
2-35 vote by mail canceled under Section 84.032.

2-36 (c) If the early voting ballot board takes an action
2-37 described by Subsection (b), the board must take either action
2-38 described by that subsection with respect to each ballot in the
2-39 election to which this section applies.

2-40 (d) A poll watcher is entitled to observe an action taken
2-41 under Subsection (b).

2-42 (e) The secretary of state may prescribe any procedures
2-43 necessary to implement this section.

2-44 SECTION 4. This Act takes effect September 1, 2021.

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