

By: Paxton

S.B. No. 1572

A BILL TO BE ENTITLED

AN ACT

relating to the numbering and signing of ballots by early voting clerks and deputy early voting clerks.

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

SECTION 1. Section 85.0311, Election Code, is amended to read as follows:

Sec. 85.0311. DEPUTY EARLY VOTING CLERK TO SIGN BALLOTS.

(a) The deputy early voting clerk's signature or initials shall be placed on the back of each ballot to be used at the polling place where the deputy early voting clerk accepts voters voting by personal appearance.

(b) The deputy early voting clerk at a polling place shall enter the signature or initials of the deputy early voting clerk on each ballot [~~or a deputy early voting clerk shall stamp a facsimile of the initials on each ballot~~].

(c) The signing of ballots under this section need not be completed before the polls open, but an unsigned ballot may not be made available for selection by a voter.

SECTION 2. Section 122.001, Election Code, is amended by amending Subsection (c) and adding Subsections (f), (g), and (h) to read as follows:

(c) The secretary of state may prescribe additional standards for voting systems consistent with this title. The standards may apply to particular kinds of voting systems, to

1 particular elements comprising a voting system, including
2 operation procedures, or to voting systems generally, provided that
3 the county or political subdivision providing the voting system:

4 (1) can demonstrate a specific inability to comply
5 with a provision of this code; and

6 (2) has applied to and received written approval from
7 the secretary of state for waiver from this code specifying:

8 (A) the election and election date to be
9 affected; and

10 (B) the specific inability to comply with a
11 provision of this code.

12 (f) Waivers issued by the secretary of state under
13 Subsection (c) must be addressed and requested separately by a
14 county or political subdivision for each election.

15 (g) The secretary of state shall attach the approval order
16 to the approval request for each applicable election under
17 Subsection (c) and retain it permanently on file.

18 (h) Waivers granted under Subsection (c) must be posted on
19 the Internet website of the requesting county or political
20 subdivision not less than 60 days before the first day of the early
21 voting period and must remain posted during the affected election.

22 SECTION 3. Section 62.008(b), Election Code, is repealed.

23 SECTION 4. This Act takes effect September 1, 2021.