

By: Hall

S.B. No. 1607

A BILL TO BE ENTITLED

1 AN ACT

2 relating to elections; creating criminal offenses; providing a  
3 civil penalty.

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

5 SECTION 1. Section 13.002(c), Election Code, is amended to  
6 read as follows:

7 (c) A registration application must include:

8 (1) the applicant's first name, middle name, if any,  
9 last name, and former name, if any;

10 (2) the month, day, and year of the applicant's birth;

11 (3) a statement that the applicant is a United States  
12 citizen;

13 (4) a statement that the applicant is a resident of the  
14 county;

15 (5) a statement that the applicant has not been  
16 determined by a final judgment of a court exercising probate  
17 jurisdiction to be:

18 (A) totally mentally incapacitated; or

19 (B) partially mentally incapacitated without the  
20 right to vote;

21 (6) a statement that the applicant has not been  
22 finally convicted of a felony or that the applicant is a felon  
23 eligible for registration under Section 13.001;

24 (7) the applicant's residence address or, if the

1 residence has no address, the address at which the applicant  
2 receives mail and a concise description of the location of the  
3 applicant's residence;

4 (8) the following information:

5 (A) the applicant's Texas driver's license number  
6 or the number of a personal identification card issued by the  
7 Department of Public Safety and the applicant's social security  
8 number;

9 (B) if the applicant has not been issued one of  
10 the numbers [~~a number~~] described by Paragraph (A), the number  
11 described by Paragraph (A) that the applicant has been issued and a  
12 statement by the applicant that the applicant has not been issued  
13 the other number [~~the last four digits of the applicant's social~~  
14 ~~security number~~]; or

15 (C) a statement by the applicant that the  
16 applicant has not been issued a number described by Paragraph (A)  
17 [~~or (B)~~];

18 (9) if the application is made by an agent, a statement  
19 of the agent's relationship to the applicant; [~~and~~]

20 (10) the city and county in which the applicant  
21 formerly resided; and

22 (11) a list of all counties in this state in which the  
23 applicant is or has been registered to vote.

24 SECTION 2. Section 13.004, Election Code, is amended by  
25 adding Subsections (f) and (g) to read as follows:

26 (f) The registrar shall furnish a copy of a list of voters  
27 registered in the county to any person requesting it or shall

1 furnish that portion of the list requested. A list or portion of a  
2 list provided under this subsection may not include information  
3 made confidential under Subsection (c) or other law.

4 (g) The registrar may not charge a fee for providing a list  
5 or portion of a list under Subsection (f).

6 SECTION 3. Section 13.071, Election Code, is amended to  
7 read as follows:

8 Sec. 13.071. REVIEW OF APPLICATION. (a) The registrar  
9 shall review each submitted application for registration to  
10 determine whether it complies with Section 13.002 and indicates  
11 that the applicant is a United States citizen eligible for  
12 registration.

13 (b) If the application is submitted to the Department of  
14 Public Safety in person with the proof of citizenship required by  
15 Section 20.063(e), the [The] registrar shall make the determination  
16 not later than the seventh day after the date the application is  
17 submitted to the registrar.

18 (c) If the application is submitted in a manner other than  
19 the manner described by Subsection (b), the registrar shall forward  
20 the information relating to the applicant to the secretary of state  
21 for determining citizenship as provided by Section 13.0721.

22 SECTION 4. Section 13.072, Election Code, is amended by  
23 amending Subsection (a) and adding Subsections (a-1), (a-2), and  
24 (e) to read as follows:

25 (a) Unless the registrar challenges the applicant, the  
26 registrar shall approve the application if:

27 (1) the registrar determines that an application

1 complies with Section 13.002 and indicates that the applicant is  
2 eligible for registration; ~~and~~

3 (2) for an applicant who has not included a statement  
4 described by Section 13.002(c)(8)(C), the registrar verifies with  
5 the secretary of state:

6 (A) the applicant's Texas driver's license number  
7 or number of a personal identification card issued by the  
8 Department of Public Safety; ~~or~~

9 (B) the ~~[last four digits of the]~~ applicant's  
10 social security number; or

11 (C) both the numbers described by Paragraphs (A)  
12 and (B), if provided by the applicant;

13 (3) the registrar determines that the residence  
14 address or residence description provided by the applicant under  
15 Section 13.002(c)(7):

16 (A) corresponds to a house, apartment building,  
17 lodging house, boarding house, dormitory, residence hall, group  
18 home, residential treatment center, nursing home, nursing or  
19 long-term care facility, correctional facility, dormitory or  
20 residence hall, shelter, or any other location at which a person  
21 could reasonably reside; and

22 (B) has not been used as a residence address or  
23 description by a number of applicants for voter registration  
24 greater than the number of people that could reasonably reside at  
25 the address; and

26 (4) the registrar verifies the applicant's signature  
27 by comparing it with any signature of the voter obtained from the

1 Department of Public Safety.

2 (a-1) A voter registrar shall enter into an agreement with  
3 the Department of Public Safety under which a signature in the  
4 database of the Department of Public Safety is provided to the  
5 registrar if it is a signature of a person over the age of 18 who  
6 resides in the county.

7 (a-2) Before approving an application by an applicant who  
8 has indicated that they are or have been registered in another  
9 county under Section 13.002(c)(11), the registrar shall obtain from  
10 the other county's registrar any information or documentation  
11 relating to the applicant in the possession of the other county's  
12 registrar.

13 (e) If the registrar is unable to make a determination  
14 regarding the residence address or description provided by the  
15 applicant under Subsection (a)(3), the registrar shall challenge  
16 the applicant under Section 13.074.

17 SECTION 5. Subchapter C, Chapter 13, Election Code, is  
18 amended by adding Section 13.0721 to read as follows:

19 Sec. 13.0721. DETERMINATION OF CITIZENSHIP. (a) This  
20 section does not apply to an application for registration submitted  
21 to the Department of Public Safety in person with the proof of  
22 citizenship required by Section 20.063(e).

23 (b) The secretary of state shall verify with the Department  
24 of Public Safety the citizenship status of each applicant for voter  
25 registration whose information is forwarded to the secretary of  
26 state as provided by Section 13.071(c). If the department verifies  
27 the applicant's citizenship status, the secretary of state shall

1 notify the registrar. If the department does not have information  
2 regarding the citizenship status of the applicant or has  
3 information indicating that the applicant is not a citizen, the  
4 registrar and the applicant shall be notified as provided by  
5 secretary of state rule.

6 (c) An applicant for voter registration who receives notice  
7 under Subsection (b) must provide proof of citizenship to the  
8 registrar not later than the 60th day after the date of receipt.  
9 Except as provided by Subsection (d), this proof must be presented  
10 in person. The following is acceptable as proof of citizenship  
11 under this section:

12 (1) an unexpired passport issued to the person;

13 (2) a certified copy of a birth certificate or other  
14 document confirming the person's birth that is admissible in a  
15 court of law and establishes the person's identity, presented with  
16 a government-issued identification that contains the person's  
17 photograph; or

18 (3) United States citizenship papers issued to the  
19 person, presented with a government-issued identification that  
20 contains the person's photograph.

21 (d) An applicant may mail a certified copy of a document  
22 described by Subsection (c)(2) or (3) with a copy of the person's  
23 government-issued photo identification to the registrar.

24 (e) If an applicant does not provide proof of citizenship as  
25 required, the registrar shall cancel the registration and notify  
26 the secretary of state. The secretary of state shall keep a list of  
27 applicants of whom the secretary receives notice under this

1 section.

2 (f) The secretary of state shall adopt rules and prescribe  
3 procedures to implement this section.

4 SECTION 6. Section 15.021, Election Code, is amended by  
5 adding Subsection (d-1) to read as follows:

6 (d-1) If the registrar receives a notification from the  
7 Department of Public Safety under Section 521.054(e),  
8 Transportation Code, that a voter registered in the registrar's  
9 county has changed the voter's address, the registrar shall  
10 consider the notification a notice submitted under Subsection (a).

11 SECTION 7. Section 15.082(b), Election Code, is amended to  
12 read as follows:

13 (b) The registrar may not charge a fee for a [each] list or  
14 portion of a list furnished under this section [may not exceed the  
15 actual expense incurred in reproducing the list or portion for the  
16 person requesting it and shall be uniform for each type of copy  
17 furnished. The registrar shall make reasonable efforts to minimize  
18 the reproduction expenses].

19 SECTION 8. Section 15.084(b), Election Code, is amended to  
20 read as follows:

21 (b) The secretary of state may not charge a fee for a [each]  
22 list or portion of a list furnished under this section [may not  
23 exceed the actual expense incurred in reproducing the list or  
24 portion for the person requesting it and shall be uniform for each  
25 type of copy furnished].

26 SECTION 9. Subchapter A, Chapter 16, Election Code, is  
27 amended by adding Section 16.0035 to read as follows:

1       Sec. 16.0035. TAX RECORD AUDIT. (a) Once per year, the  
2 county tax assessor-collector shall audit the county's tax records  
3 to determine if the records indicate that a person 18 years or older  
4 who has resided in the county in the previous year has died, is no  
5 longer a resident of the county, is not a citizen of the United  
6 States, or is otherwise ineligible to vote.

7       (b) The tax assessor-collector shall forward the records  
8 described by Subsection (a) to the registrar for cancellation  
9 following investigation under Section 16.033.

10       SECTION 10. Section 16.033(b), Election Code, is amended to  
11 read as follows:

12       (b) If the registrar receives a record under Section 16.0035  
13 or otherwise has reason to believe that a voter is no longer  
14 eligible for registration, the registrar shall deliver written  
15 notice to the voter indicating that the voter's registration status  
16 is being investigated by the registrar. The notice shall be  
17 delivered by forwardable mail to the mailing address on the voter's  
18 registration application and to any new address of the voter known  
19 to the registrar. If the secretary of state has adopted or  
20 recommended a form for a written notice under this section, the  
21 registrar must use that form.

22       SECTION 11. Section 16.0332(a), Election Code, is amended  
23 to read as follows:

24       (a) After the registrar receives a list under Section 18.068  
25 of this code or Section 62.113, Government Code, of persons excused  
26 or disqualified from jury service or otherwise determined to be  
27 ineligible to vote because of citizenship status, the registrar



1 shall deliver to each registered voter whose name appears on the  
2 list a written notice requiring the voter to submit to the registrar  
3 proof of United States citizenship in the form of a certified copy  
4 of the voter's birth certificate, United States passport, or  
5 certificate of naturalization or any other form prescribed by the  
6 secretary of state. The notice shall be delivered by forwardable  
7 mail to the mailing address on the voter's registration application  
8 and to any new address of the voter known to the registrar.

9 SECTION 12. Section 18.005, Election Code, is amended by  
10 amending Subsection (a) and adding Subsection (d) to read as  
11 follows:

12 (a) Each original and supplemental list of registered  
13 voters must:

14 (1) contain the voter's name, date of birth, and  
15 registration number as provided by the statewide computerized voter  
16 registration list;

17 (2) contain the voter's residence address, except as  
18 provided by Subsections (b) and (c) or Section 18.0051;

19 (3) be arranged alphabetically by voter name; ~~and~~

20 (4) contain the notation required by Section 15.111;  
21 and

22 (5) contain the voter's photograph if provided to the  
23 registrar under an agreement made under Subsection (d).

24 (d) A voter registrar shall enter into an agreement with the  
25 Department of Public Safety under which a photograph in the  
26 database of the Department of Public Safety is provided to the  
27 registrar if the photograph is of a registered voter in the county.

1 SECTION 13. Section 18.061(b), Election Code, is amended to  
2 read as follows:

3 (b) The statewide computerized voter registration list  
4 must:

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

7 (2) assign a unique identifier to each registered  
8 voter; ~~and~~

9 (3) be available to any election official in the state  
10 through immediate electronic access; and

11 (4) be designed to integrate and interact easily with  
12 other state computerized databases.

13 SECTION 14. Section 18.068, Election Code, is amended by  
14 amending Subsections (a), (b), (c), (e), and (f) and adding  
15 Subsections (a-1) and (a-2) to read as follows:

16 (a) The secretary of state shall monthly ~~[quarterly]~~  
17 compare the information received under Subchapter A, Chapter 16,  
18 ~~[Section 16.001]~~ of this code and Sections ~~[Section]~~ 62.113 and  
19 62.114, Government Code, to the statewide computerized voter  
20 registration list.

21 (a-1) The secretary of state shall enter into an agreement  
22 with the Department of Public Safety, the Texas Department of  
23 Criminal Justice, the vital statistics unit of the Department of  
24 State Health Services, and the Health and Human Services Commission  
25 under which information in any database maintained by the  
26 department, unit, or commission is provided to the secretary of  
27 state if the information concerns a person who is at least 18 years

1 of age and:

2 (1) has indicated in connection with a service sought  
3 by or provided to the person by the department, unit, or commission  
4 that the person is not a citizen, has changed residence addresses,  
5 or is otherwise ineligible to vote under Section 13.001; or

6 (2) for whom the department, unit, or commission has  
7 received information indicating the person is deceased.

8 (a-2) If the secretary of state determines from information  
9 received under Subsection (a) or (a-1) that a voter on the  
10 registration list may be ineligible to vote [~~is deceased or has been~~  
11 ~~excused or disqualified from jury service because the voter is not a~~  
12 ~~citizen~~], the secretary shall send notice of the determination to  
13 the attorney general and the voter registrar of the counties  
14 considered appropriate by the secretary.

15 (b) The secretary of state shall by rule determine what  
16 information combinations identified as common to a voter and to an  
17 individual who is deceased or ineligible to vote constitute a weak  
18 match or a strong match in order to:

19 (1) produce the least possible impact on Texas voters;

20 and

21 (2) fulfill its responsibility to manage the voter  
22 rolls.

23 (c) The secretary of state may not determine that a voter is  
24 deceased or ineligible to vote based on a weak match. The secretary  
25 of state may inform the county of the voter's residence that a weak  
26 match exists.

27 (e) The secretary of state may determine that a voter is

1 deceased or ineligible to vote based on a strong match.

2 (f) The secretary of state may obtain, for purposes of  
3 determining whether a voter is deceased or ineligible to vote,  
4 information from [~~other state agency~~] databases maintained by state  
5 agencies not listed in Subsection (a-1) relating to a voter that is  
6 the same type of information that the secretary of state or a voter  
7 registrar collects or stores for voter registration purposes.

8 SECTION 15. Section 20.032, Election Code, is amended by  
9 amending Subsection (a) and adding Subsection (a-1) to read as  
10 follows:

11 (a) Except as provided by Subsection (a-1), an [An]  
12 appropriate agency employee shall routinely inform each person who  
13 applies in person for agency services of the opportunity to  
14 complete a voter registration application form and on request shall  
15 provide nonpartisan voter registration assistance to the  
16 applicant.

17 (a-1) An employee of a voter registration agency may not  
18 offer voter registration assistance under this chapter if a person  
19 applies for agency services using identification issued by a  
20 foreign country.

21 SECTION 16. Section 20.063, Election Code, is amended by  
22 adding Subsection (e) to read as follows:

23 (e) A person who submits a voter registration application to  
24 the department in person shall at the time of submission present as  
25 proof of citizenship:

26 (1) an unexpired passport issued to the person;

27 (2) a certified copy of a birth certificate or other

1 document confirming the person's birth that is admissible in a  
2 court of law and establishes the person's identity; or

3 (3) United States citizenship papers issued to the  
4 person.

5 SECTION 17. Sections 31.014(a) and (c), Election Code, are  
6 amended to read as follows:

7 (a) The secretary of state shall prescribe specific  
8 requirements and standards, consistent with this code, for the  
9 certification of an electronic device used to accept voters under  
10 Chapter 63 that require the device to:

11 (1) produce an electronic copy of the list of voters  
12 who were accepted to vote for delivery to the election judge after  
13 the polls close;

14 (2) display the voter's original signature in  
15 accordance with Section 63.002;

16 (3) accept a voter for voting even when the device is  
17 off-line;

18 (4) provide the full list of voters registered in the  
19 county with an indication of the jurisdictional or distinguishing  
20 number for each territorial unit in which each voter resides;

21 (5) time-stamp when each voter is accepted at a  
22 polling place, including the voter's unique identifier;

23 (6) if the county [~~participates in the countywide~~  
24 ~~polling place program under Section 43.007 or~~] has more than one  
25 early voting polling place, transmit a time stamp when each voter is  
26 accepted, including the voter's unique identifier, to all polling  
27 place locations;

1           (7) time-stamp the receipt of a transmission under  
2 Subdivision (6); and

3           (8) produce in an electronic format compatible with  
4 the statewide voter registration list under Section 18.061 data for  
5 retention and transfer that includes:

6                   (A) the polling location in which the device was  
7 used;

8                   (B) the dated time stamp under Subdivision (5);  
9 and

10                   (C) the dated time stamp under Subdivision (7).

11           (c) The secretary of state shall adopt rules that require a  
12 device described by this section used during the early voting  
13 period [~~or under the countywide polling place program under Section~~  
14 ~~43.007~~] to update data in real time. If a county uses a device that  
15 does not comply with the rule in two consecutive general elections  
16 for state and county officers, the secretary of state shall assess a  
17 noncompliance fee. The noncompliance fee shall be set at an amount  
18 determined by secretary of state rule.

19           SECTION 18. Section 32.002(c-1), Election Code, is amended  
20 to read as follows:

21           (c-1) For purposes of this subsection, the county chair  
22 shall provide a list of names of persons eligible for appointment as  
23 election judges. [~~Judges of countywide polling places established~~  
24 ~~under Section 43.007 must be appointed from the list of names of~~  
25 ~~persons submitted by the county chair in compliance with Subsection~~  
26 ~~(c) except that in appointing a person from the list the~~  
27 ~~commissioners court shall apportion the number of judges in direct~~

1 ~~proportion to the percentage of precincts located in each county~~  
2 ~~commissioners precinct won by each party in the last gubernatorial~~  
3 ~~election, the commissioners court is not required to make the~~  
4 ~~appointments based on specific polling locations or precincts, a~~  
5 ~~presiding judge or alternate presiding judge is not required to~~  
6 ~~serve in a polling place located in the precinct in which the judge~~  
7 ~~resides, and more than one presiding judge or alternate presiding~~  
8 ~~judge may be selected from the same precinct to serve in polling~~  
9 ~~places not located in the precinct in which the judges reside. The~~  
10 ~~county chairs may submit, and the commissioners court may~~  
11 ~~preapprove, the appointment of more presiding judges or alternate~~  
12 ~~presiding judges than necessary to fill available positions. The~~  
13 ~~county clerk may select an individual whose appointment was~~  
14 ~~preapproved by the commissioners court to fill a vacancy in a~~  
15 ~~position that was held by an individual from the same political~~  
16 ~~party. Other than a judge's party affiliation, nothing in this~~  
17 ~~subsection precludes a county clerk from placing an election~~  
18 ~~officer at a countywide polling place based on the need for services~~  
19 ~~at that location.]~~

20 SECTION 19. Section [32.0511](#)(d), Election Code, is amended  
21 to read as follows:

22 (d) Not more than two student election clerks may serve at a  
23 polling place~~[, except that not more than four student election~~  
24 ~~clerks may serve at any countywide polling place]~~.

25 SECTION 20. Section [33.006](#)(b), Election Code, is amended to  
26 read as follows:

27 (b) A certificate of appointment must:

1 (1) be in writing and signed by the appointing  
2 authority or, for an appointment for a write-in candidate under  
3 Section 33.004, by each of the voters making the appointment;

4 (2) indicate the capacity in which the appointing  
5 authority is acting;

6 (3) state the name, residence address, and voter  
7 registration number of the appointee and be signed by the  
8 appointee;

9 (4) identify the election and the precinct polling  
10 place or other location at which the appointee is to serve; and

11 (5) in an election on a measure, identify the measure  
12 if more than one is to be voted on and state which side of the  
13 measure the appointee represents[~~, and~~

14 [~~(6) contain an affidavit executed by the appointee~~  
15 ~~stating that the appointee will not have possession of a device~~  
16 ~~capable of recording images or sound or that the appointee will~~  
17 ~~disable or deactivate the device while serving as a watcher].~~

18 SECTION 21. Section 33.031, Election Code, is amended to  
19 read as follows:

20 Sec. 33.031. GENERAL ELIGIBILITY REQUIREMENTS. [~~(a)~~] To  
21 be eligible to serve as a watcher, a person must be a qualified  
22 voter [~~+~~

23 [~~(1) of the county in which the person is to serve, in~~  
24 ~~an election ordered by the governor or a county authority or in a~~  
25 ~~primary election,~~

26 [~~(2) of the part of the county in which the election is~~  
27 ~~held, in an election ordered by the governor or a county authority~~



1 ~~that does not cover the entire county of the person's residence, and~~  
2 ~~(3) of the political subdivision, in an election~~  
3 ~~ordered by an authority of a political subdivision other than a~~  
4 ~~county].~~

5         SECTION 22. Section 33.051(c), Election Code, is amended to  
6 read as follows:

7         (c) ~~[A watcher may not be accepted for service if the~~  
8 ~~watcher has possession of a device capable of recording images or~~  
9 ~~sound unless the watcher agrees to disable or deactivate the~~  
10 ~~device.]~~ The presiding judge may inquire whether a watcher has  
11 possession of a [any prohibited] recording device before accepting  
12 the watcher for service.

13         SECTION 23. Section 33.056, Election Code, is amended by  
14 amending Subsection (a) and adding Subsection (e) to read as  
15 follows:

16         (a) Except as provided by Section 33.057, a watcher is  
17 entitled to observe any activity conducted at the location at which  
18 the watcher is serving. A watcher is entitled to sit or stand  
19 ~~[conveniently]~~ near enough to see and hear the election officers  
20 conducting the observed activity, except as otherwise prohibited by  
21 this chapter.

22         (e) Except as provided by Section 33.057(b), a watcher may  
23 not be denied free movement within the location at which the watcher  
24 is serving.

25         SECTION 24. Section 33.061, Election Code, is amended by  
26 adding Subsections (c) and (d) to read as follows:

27         (c) An offense under Subsection (a) includes an action taken

1 to distance or obstruct the view of a watcher in a way that makes  
2 observation reasonably ineffective.

3 (d) A person who has committed an offense under this section  
4 may also be:

5 (1) suspended or terminated;

6 (2) liable to the state for a civil penalty not to  
7 exceed \$4,000 for each violation; or

8 (3) any combination of these.

9 SECTION 25. Section 43.001, Election Code, is amended to  
10 read as follows:

11 Sec. 43.001. AT LEAST ONE POLLING PLACE IN EACH PRECINCT.  
12 Each election precinct established for an election shall be served  
13 by at least one [~~a single~~] polling place located within the boundary  
14 of the precinct.

15 SECTION 26. Section 43.031, Election Code, is amended by  
16 adding Subsection (b-1) to read as follows:

17 (b-1) A polling place may not be located in:

18 (1) a tent or other temporary or movable structure; or

19 (2) a parking garage, parking lot, or similar facility  
20 primarily designed for motor vehicles.

21 SECTION 27. Section 51.005(a), Election Code, is amended to  
22 read as follows:

23 (a) The authority responsible for procuring the election  
24 supplies for an election shall provide for each election precinct a  
25 number of ballots equal to [~~at least the percentage of voters who~~  
26 ~~voted in that precinct in the most recent corresponding election~~  
27 ~~plus 25 percent of that number, except that the number of ballots~~

1 ~~provided may not exceed]~~ the total number of registered voters in  
2 the precinct.

3 SECTION 28. Subchapter C, Chapter 52, Election Code, is  
4 amended by adding Section 52.076 to read as follows:

5 Sec. 52.076. IDENTIFYING CODE OR MICROCHIP FOR MAIL-IN  
6 BALLOTS. (a) Each early voting ballot voted by mail must include a  
7 unique barcode or microchip used to ensure that the ballot is only  
8 counted once.

9 (b) No record associating an individual voter with a barcode  
10 or microchip assigned to a ballot under this section may be created.

11 (c) The secretary of state by rule shall provide for the  
12 design and distribution of a unique barcode or microchip system in a  
13 manner that, to the greatest extent possible, prevents the  
14 unauthorized reproduction or misuse of mail ballots.

15 SECTION 29. Section 61.001, Election Code, is amended by  
16 adding Subsection (e) to read as follows:

17 (e) As necessary at any time, the presiding judge or a  
18 watcher may request that a trained peace officer enter the polling  
19 place to enforce a law or prevent a violation under this code.

20 SECTION 30. Section 61.002, Election Code, is amended to  
21 read as follows:

22 Sec. 61.002. OPENING POLLING PLACE FOR VOTING. (a) Before  
23 opening the polls for voting, the presiding election judge shall  
24 confirm that each voting machine has any public counter reset to  
25 zero and shall print the tape that shows the counter was set to  
26 zero.

27 (b) Each election judge present shall sign a tape printed

1 under Subsection (a). Any watcher present may sign a tape printed  
2 under Subsection (a).

3 (c) At the official time for opening the polls for voting,  
4 an election officer shall open the polling place entrance and admit  
5 the voters.

6 SECTION 31. Section 61.014, Election Code, is amended by  
7 amending Subsections (a) and (b) and adding Subsection (b-1) to  
8 read as follows:

9 (a) A person, other than a watcher using the device solely  
10 to record image or sound as permitted under Subsection (b), may not  
11 use a wireless communication device within 100 feet of a voting  
12 station.

13 (b) A person, other than a watcher, may not use a [any]  
14 mechanical or electronic device to record [means of recording]  
15 images or sound that captures the activity [within 100 feet] of a  
16 voter at a voting station, unless the voter is receiving assistance  
17 the watcher reasonably believes to be unlawful.

18 (b-1) A recording made by a watcher under Subsection (b) may  
19 not capture or record any information on a voter's ballot.

20 SECTION 32. Subchapter A, Chapter 61, Election Code, is  
21 amended by adding Section 61.0141 to read as follows:

22 Sec. 61.0141. EXCEPTION REPORT FOR REPAIRS OR MAINTENANCE.  
23 A person performing requested repairs or maintenance of equipment  
24 at a polling place during voting in accordance with this title may,  
25 as necessary, enter the polling place with an electronic device  
26 capable of being connected to the Internet. After performing the  
27 requested repairs or maintenance, the person shall, not later than

1 the third business day after the date the person entered the polling  
2 place, file an exception report with the secretary of state in a  
3 form adopted by the secretary for that purpose.

4 SECTION 33. Chapter 62, Election Code, is amended by adding  
5 Section 62.017 to read as follows:

6 Sec. 62.017. VIDEO RECORDING. Video cameras must be posted  
7 at a polling place to enable recording of all activity, other than  
8 voting, being conducted at a polling place.

9 SECTION 34. Sections 63.001(b), (d), and (e), Election  
10 Code, are amended to read as follows:

11 (b) Except as provided by Subsection (h), on offering to  
12 vote, a voter must present to an election officer at the polling  
13 place[+

14 [~~(1)~~] one form of photo identification listed in  
15 Section 63.0101(a) [~~+~~ or

16 [~~(2) one form of identification listed in Section~~  
17 ~~63.0101(b) accompanied by the declaration described by Subsection~~  
18 ~~(i)].~~

19 (d) If, as determined under Subsection (c), the voter's name  
20 is on the precinct list of registered voters and the voter's  
21 identity can be verified from the documentation presented under  
22 Subsection (b), the voter shall be accepted for voting. [~~An~~  
23 ~~election officer may not question the reasonableness of an~~  
24 ~~impediment sworn to by a voter in a declaration described by~~  
25 ~~Subsection (i).]~~

26 (e) On accepting a voter, an election officer shall indicate  
27 beside the voter's name on the list of registered voters that the

1 voter is accepted for voting. [~~If the voter executes a declaration~~  
2 ~~of reasonable impediment to meet the requirement for identification~~  
3 ~~under Subsection (b), the election officer must affix the voter's~~  
4 ~~voter registration number to the declaration either in numeric or~~  
5 ~~bar code form.~~]

6 SECTION 35. Section 63.003, Election Code, is amended by  
7 adding Subsection (e) to read as follows:

8 (e) If the poll list is in the form of an electronic device,  
9 a paper copy must be kept on site as backup.

10 SECTION 36. Section 63.004, Election Code, is amended by  
11 adding Subsection (f) to read as follows:

12 (f) If the combination form is in the form of an electronic  
13 device, a paper copy must be kept on site as backup.

14 SECTION 37. Section 63.004(a), Election Code, is amended to  
15 read as follows:

16 (a) The secretary of state may prescribe forms that combine  
17 the poll list, the signature roster, or any other form used in  
18 connection with the acceptance of voters at polling places with  
19 each other or with the list of registered voters. The secretary  
20 shall prescribe any special instructions necessary for using the  
21 combination forms. [~~The combination forms must include space for~~  
22 ~~an election officer to indicate whether a voter executed a~~  
23 ~~declaration of reasonable impediment under Section 63.001(i).~~]

24 SECTION 38. Section 63.0101(a), Election Code, is amended  
25 to read as follows:

26 (a) The following documentation is an acceptable form of  
27 photo identification under this chapter:

1           (1) a driver's license, election identification  
2 certificate, or personal identification card issued to the voter  
3 [~~person~~] by the Department of Public Safety that has not expired or  
4 that expired no earlier than four years before the date of  
5 presentation;

6           (2) a United States military identification card that  
7 contains the voter's [~~person's~~] photograph that has not expired or  
8 that expired no earlier than four years before the date of  
9 presentation;

10          (3) a United States citizenship certificate issued to  
11 the voter [~~person~~] that contains the voter's [~~person's~~] photograph;

12          (4) a United States passport book or card issued to the  
13 voter [~~person~~] that has not expired or that expired no earlier than  
14 four years before the date of presentation; [~~or~~]

15          (5) a license to carry a handgun issued to the voter  
16 [~~person~~] by the Department of Public Safety that has not expired or  
17 that expired no earlier than four years before the date of  
18 presentation;

19          (6) an official Native American identification card or  
20 tribal document that:

21                   (A) contains the voter's photograph and address;  
22 and

23                   (B) is issued by a tribal organization or by a  
24 tribe that is federally recognized and located in this state; or

25          (7) an identification card issued by an institution of  
26 higher education located in this state that contains the voter's  
27 photograph and identifies the voter as a citizen of the United

1 States.

2 SECTION 39. Section 64.012, Election Code, is amended by  
3 adding Subsections (a-1) and (b-1) and amending Subsection (b) to  
4 read as follows:

5 (a-1) An election officer commits an offense if the officer  
6 permits a person to vote in an election when the officer knows the  
7 person is not registered to vote.

8 (b) An offense under Subsection (a) [~~this section~~] is a  
9 felony of the second degree unless the person is convicted of an  
10 attempt. In that case, the offense is a state jail felony.

11 (b-1) An offense under Subsection (a-1) is a Class A  
12 misdemeanor.

13 SECTION 40. Subchapter B, Chapter 64, Election Code, is  
14 amended by adding Section 64.0322 to read as follows:

15 Sec. 64.0322. SUBMISSION OF FORM BY ASSISTANT. (a) A  
16 person, other than an election officer, who assists a voter in  
17 accordance with this chapter is required to complete a form  
18 stating:

19 (1) the name, telephone number, and address of the  
20 person assisting the voter;

21 (2) the manner in which the person assisted the voter;

22 (3) the reason the assistance was necessary; and

23 (4) the relationship of the assistant to the voter.

24 (b) A person who submits a form under Subsection (a) shall  
25 present an acceptable photo identification under Section 63.0101.

26 (c) The secretary of state shall prescribe the form required  
27 by this section. The form must be incorporated into the official



1 carrier envelope if the voter is voting an early voting ballot by  
2 mail and receives assistance under Section 86.010, or must be  
3 submitted to an election officer at the time the voter casts a  
4 ballot if the voter is voting at a polling place or under Section  
5 64.009.

6 SECTION 41. Sections 65.002(a) and (c), Election Code, are  
7 amended to read as follows:

8 (a) The [~~Subject to Subsection (b), the~~] presiding judge may  
9 not direct the counting of ballots to occur until [~~at any time~~]  
10 after the polls close [~~have been open for one hour~~].

11 (c) After the polls close or the last voter has voted,  
12 whichever is later, the counting of ballots shall be conducted  
13 continuously until all the ballots are counted. The counting may  
14 not be interrupted except in the case of extreme circumstances, in  
15 which case election officials must notify the public of the  
16 suspension and the exact time counting will resume.

17 SECTION 42. Section 65.014, Election Code, is amended by  
18 amending Subsection (c) and adding Subsections (c-1) and (f) to  
19 read as follows:

20 (c) The returns shall be prepared as an original and three  
21 copies, and on completing the returns, the presiding judge shall  
22 sign each one to certify its accuracy. Any watcher present at the  
23 polling place must be allowed to inspect and sign each copy of the  
24 returns.

25 (c-1) The presiding judge shall publicly post at the polling  
26 place one of the copies printed under Subsection (c) before the  
27 presiding judge leaves the premises.

1       (f) The presiding judge shall sign an affidavit stating that  
2 the returns, to the best of the judge's knowledge, represent the  
3 actual results of the election.

4       SECTION 43. Subchapter A, Chapter 65, Election Code, is  
5 amended by adding Section 65.0155 to read as follows:

6       Sec. 65.0155. PUBLIC STREAMING OF ELECTION ACTIVITY. (a)  
7 The county clerk shall provide cameras and other equipment to each  
8 polling place, meeting place for an early voting ballot board, or  
9 central counting station involved in the election, and shall  
10 provide a live video stream on the county clerk's Internet website  
11 of any election activity conducted at a polling place, meeting  
12 place for an early voting ballot board, or central counting  
13 station.

14       (b) The secretary of state shall adopt rules necessary for  
15 the implementation of this section.

16       SECTION 44. Subchapter A, Chapter 65, Election Code, is  
17 amended by adding Sections 65.016 and 65.017 to read as follows:

18       Sec. 65.016. VOTE COUNTING EQUIPMENT. No equipment to  
19 count votes shall be used that is capable of being connected to the  
20 Internet or any other computer network.

21       Sec. 65.017. EXCEPTION REPORT FOR REPAIRS OR MAINTENANCE.  
22 A person performing requested repairs or maintenance of equipment  
23 at a polling place in accordance with this title may, as necessary,  
24 enter the polling place with an electronic device capable of being  
25 connected to the Internet while vote counting is being conducted.  
26 After performing the requested repairs or maintenance, the person  
27 shall, not later than the third business day after the date the

1 person entered the polling place, file an exception report with the  
2 secretary of state in a form adopted by the secretary for that  
3 purpose.

4 SECTION 45. Subchapter B, Chapter 66, Election Code, is  
5 amended by adding Section 66.027 to read as follows:

6 Sec. 66.027. SECRETARY OF STATE TO PROVIDE SECURE  
7 LOCKBOXES. The secretary of state shall provide a secure lockbox  
8 suitable for containing each type of election record described  
9 under this subchapter.

10 SECTION 46. Section 66.052, Election Code, is amended to  
11 read as follows:

12 Sec. 66.052. DELIVERY BY ELECTION CLERK; CHAIN OF CUSTODY.

13 (a) A delivery of election records or supplies that is to be  
14 performed by the presiding judge may be performed by an election  
15 clerk designated by the presiding judge.

16 (b) The presiding judge or an election clerk designated by  
17 the presiding judge under this section must keep records of each  
18 person that has custody of a precinct election record until the  
19 records are delivered.

20 SECTION 47. Section 67.007, Election Code, is amended by  
21 amending Subsection (c) and adding Subsection (c-1) to read as  
22 follows:

23 (c) The county clerk shall certify the county returns. The  
24 early voting ballot board must independently verify the county  
25 returns before the county clerk can certify the returns under this  
26 subsection.

27 (c-1) The secretary of state may not release election

1 results for a district or statewide office until each county clerk  
2 has completed the clerk's duties under Subsection (c).

3 SECTION 48. Section 82.001(a), Election Code, is amended to  
4 read as follows:

5 (a) Subject to Subsection (b), a qualified voter is eligible  
6 for early voting by mail if the voter is unable [~~expects~~]  
7 present in [~~absent from~~] the county of the voter's residence on  
8 election day and during [~~the regular hours for conducting early~~  
9 ~~voting at the main early voting polling place for that part of~~] the  
10 period for early voting by personal appearance [~~remaining after the~~  
11 ~~voter's early voting ballot application is submitted to the early~~  
12 ~~voting clerk~~].

13 SECTION 49. Section 84.001(b), Election Code, is amended to  
14 read as follows:

15 (b) An application must be in writing and signed by the  
16 applicant. An electronic signature that is not hand drawn is not  
17 permitted.

18 SECTION 50. Section 84.002, Election Code, is amended by  
19 amending Subsection (a) and adding Subsection (c) to read as  
20 follows:

21 (a) An early voting ballot application must include:

22 (1) the applicant's name and the address at which the  
23 applicant is registered to vote;

24 (1-a) a copy of one form of photo identification  
25 listed in Section 63.0101(a);

26 (2) for an application for a ballot to be voted by mail  
27 on the ground of absence from the county of residence, the address

1 outside the applicant's county of residence to which the ballot is  
2 to be mailed;

3 (3) for an application for a ballot to be voted by mail  
4 on the ground of [~~age or~~] disability, the address of the hospital,  
5 nursing home or other long-term care facility, or retirement  
6 center, or of a person related to the applicant within the second  
7 degree by affinity or the third degree by consanguinity, as  
8 determined under Chapter 573, Government Code, if the applicant is  
9 living at that address and that address is different from the  
10 address at which the applicant is registered to vote;

11 ~~(4) [for an application for a ballot to be voted by~~  
12 ~~mail on the ground of confinement in jail, the address of the jail~~  
13 ~~or of a person related to the applicant within the degree described~~  
14 ~~by Subdivision (3);~~

15 [~~5~~] for an application for a ballot to be voted by  
16 mail on any ground, an indication of each election for which the  
17 applicant is applying for a ballot; and

18 (5) [~~6~~] an indication of the ground of eligibility  
19 for early voting.

20 (c) Section 63.0101(c) applies to documentation provided  
21 under this section.

22 SECTION 51. Section 84.011(a), Election Code, is amended to  
23 read as follows:

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

26 (1) immediately preceding the signature space the  
27 statement: "I certify that the information given in this

1 application is true, and I understand that giving false information  
2 in this application is a crime.";

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

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

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

10 (A) a space for an applicant applying on the  
11 ground of absence from the county of residence to indicate the date  
12 on or after which the applicant can receive mail at the address  
13 outside the county;

14 (B) a space for indicating the fact that an  
15 applicant whose application is signed by a witness cannot make the  
16 applicant's mark and a space for indicating the relationship or  
17 lack of relationship of the witness to the applicant;

18 (C) a space for entering an applicant's telephone  
19 number, with a statement informing the applicant that failure to  
20 furnish that information does not invalidate the application;

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

25 (E) ~~[a space or box for an applicant applying on~~  
26 ~~the ground of confinement in jail to indicate that the address to~~  
27 ~~which the ballot is to be mailed is the address of a relative~~

1 ~~described by Section 84.002(a)(4), if applicable,~~

2 [~~F~~] a space for an applicant applying on the  
3 ground of [~~age or~~] disability to indicate if the application is an  
4 application under Section 86.0015;

5 (F) [~~G~~] spaces for entering the signature,  
6 printed name, and residence address of any person assisting the  
7 applicant;

8 (G) [~~H~~] a statement informing the applicant of  
9 the condition prescribed by Section 81.005; [~~and~~]

10 (H) [~~I~~] a statement informing the applicant of  
11 the requirement prescribed by Section 86.003(c); and

12 (I) a statement informing the applicant of the  
13 requirement that the applicant include a photograph or copy of  
14 identification described by Section 84.002(a)(1-a).

15 SECTION 52. Subchapter A, Chapter 84, Election Code, is  
16 amended by adding Section 84.0111 to read as follows:

17 Sec. 84.0111. PROHIBITION ON DISTRIBUTION OF OFFICIAL  
18 APPLICATION FORM. Unless otherwise authorized by this code, an  
19 officer or employee of this state or of a political subdivision of  
20 this state may not distribute an official application form for an  
21 early voting ballot to a person unless the person requested the form  
22 for the person's own use.

23 SECTION 53. Subchapter A, Chapter 84, Election Code, is  
24 amended by adding Section 84.015 to read as follows:

25 Sec. 84.015. BIPARTISAN TEAMS FOR ASSISTANCE OF CERTAIN  
26 INDIVIDUALS. Notwithstanding any other law, each early voting  
27 clerk shall create a bipartisan team to assist any individual

1 confined to a nursing home, hospital, or similar facility during  
2 the early voting period and on election day with submitting an  
3 application to vote by mail and with submitting a ballot voted by  
4 mail.

5 SECTION 54. Sections 84.032(b) and (c), Election Code, are  
6 amended to read as follows:

7 (b) A request must:

8 (1) be in writing and signed by the applicant;

9 (2) specify the election for which the application was  
10 made; ~~and~~

11 (3) return the ballot to be voted by mail as provided  
12 by this section; and

13 (4) except as provided by Subsection (c) or [7] (d),  
14 [~~or (e),~~] be received by the early voting clerk[+]

15 [~~(A)~~] not later than the third day before election  
16 day[~~, and~~

17 [~~(B) if an early voting ballot sent to the~~  
18 ~~applicant is returned to the clerk as a marked ballot, before the~~  
19 ~~marked ballot's arrival at the address on the carrier envelope].~~

20 (c) An applicant may submit a request after the close of  
21 early voting by personal appearance by appearing in person and[+]

22 [~~(1)~~] returning the ballot to be voted by mail to the  
23 early voting clerk[~~, or~~

24 [~~(2) executing an affidavit that the applicant:~~

25 [~~(A) has not received the ballot to be voted by~~  
26 ~~mail, or~~

27 [~~(B) never requested a ballot to be voted by~~



1 mail].

2 SECTION 55. Section 84.038, Election Code, is amended to  
3 read as follows:

4 Sec. 84.038. CANCELLATION EFFECTIVE FOR SINGLE ELECTION.  
5 The cancellation of an application for a ballot to be voted by mail  
6 under Section 84.032(c) or [7] (d) [~~or (e)~~] is effective for a  
7 single ballot only and does not cancel the application with respect  
8 to a subsequent election, including a subsequent election to which  
9 the same application applies under Section 84.001(e) or 86.0015(b).

10 SECTION 56. Sections 85.001(a) and (e), Election Code, are  
11 amended to read as follows:

12 (a) The period for early voting by personal appearance  
13 begins on the 17th day before election day and continues through the  
14 [~~fourth~~] day before election day, except as otherwise provided by  
15 this section.

16 (e) For an election held on the uniform election date in May  
17 and any resulting runoff election, the period for early voting by  
18 personal appearance begins on the 12th day before election day and  
19 continues through the [~~fourth~~] day before election day.

20 SECTION 57. Sections 85.005(a) and (b), Election Code, are  
21 amended to read as follows:

22 (a) Except as provided by Subsection (c), in an election in  
23 which a county clerk or city secretary is the early voting clerk  
24 under Section 83.002 or 83.005, early voting by personal appearance  
25 at the main early voting polling place shall be conducted on the  
26 weekdays of the early voting period and during the hours that the  
27 county clerk's or city secretary's main business office is

1 regularly open for business, except that voting may not be  
2 conducted earlier than 7 a.m. or later than 7 p.m.[-]

3 (b) In an election to which Subsection (a) does not apply,  
4 early voting by personal appearance at the main early voting  
5 polling place shall be conducted at least eight hours each weekday  
6 of the early voting period that is not a legal state holiday unless  
7 the territory covered by the election has fewer than 1,000  
8 registered voters. In that case, the voting shall be conducted at  
9 least three hours each day. The authority ordering the election, or  
10 the county clerk if that person is the early voting clerk, shall  
11 determine which hours the voting is to be conducted except that  
12 voting may not be conducted earlier than 7 a.m. or later than 7  
13 p.m.[-]

14 SECTION 58. Section 85.006(c), Election Code, is amended to  
15 read as follows:

16 (c) The authority ordering voting on a Saturday or Sunday  
17 shall determine the hours during which voting is to be conducted  
18 except that voting may not be conducted earlier than 7 a.m. or later  
19 than 7 p.m.[-]

20 SECTION 59. Section 85.010(c), Election Code, is amended to  
21 read as follows:

22 (c) A shared polling place established under Subsection (b)  
23 that is designated as a main early voting polling place by any  
24 political subdivision:

25 (1) must be open for voting for all political  
26 subdivisions the polling place serves for at least the days and  
27 hours required of a main early voting polling place under Section

1 85.002 for the political subdivision making the designation; and  
2 (2) may not be open for voting earlier than 7 a.m. or  
3 later than 7 p.m.[-]

4 SECTION 60. Section 85.033, Election Code, is amended to  
5 read as follows:

6 Sec. 85.033. SECURITY OF VOTING MACHINE. (a) At the close  
7 of early voting each day, the early voting clerk shall secure each  
8 voting machine used for early voting in the manner prescribed by the  
9 secretary of state so that its unauthorized operation is prevented.  
10 The clerk shall unsecure the machine before the beginning of early  
11 voting the following day.

12 (b) A voting machine used for early voting may not be  
13 removed from the polling place until the polls close on election  
14 day.

15 SECTION 61. Section 85.064, Election Code, is amended by  
16 adding Subsection (c) to read as follows:

17 (c) Early voting by personal appearance at a temporary  
18 branch polling place may not be conducted earlier than 7 a.m. or  
19 later than 7 p.m.

20 SECTION 62. Section 86.001, Election Code, is amended by  
21 adding Subsections (f), (h), (i), and (j) to read as follows:

22 (f) If the application does not include a copy of one form of  
23 photo identification listed in Section 63.0101(a), the clerk shall  
24 reject the application.

25 (h) The clerk may not mail or otherwise provide an early  
26 voting ballot to a person who did not submit an application for a  
27 ballot to be voted by mail.

1        (i) The clerk shall reject an application for a ballot to be  
2 voted by mail if the clerk determines that the signature on the  
3 application was executed by a person other than the voter, unless  
4 the application was signed by a witness. In making the  
5 determination, the clerk may compare the signature with any two or  
6 more signatures of the voter made within the preceding six years and  
7 on file with the county clerk or voter registrar.

8        (j) Before the clerk mails or provides a ballot to an  
9 applicant, the clerk shall identify the unique barcode included on  
10 the carrier envelope and make a record indicating that a carrier  
11 envelope with the unique barcode was issued.

12        SECTION 63. Section 86.0015(a), Election Code, is amended  
13 to read as follows:

14        (a) This section applies only to an application for a ballot  
15 to be voted by mail that:

16            (1) indicates the ground of eligibility is [~~age or~~]  
17 disability; and

18            (2) does not specify the election for which a ballot is  
19 requested or has been marked by the applicant as an application for  
20 more than one election.

21        SECTION 64. Section 86.003(c), Election Code, is amended to  
22 read as follows:

23        (c) The address to which the balloting materials must be  
24 addressed is the address at which the voter is registered to vote,  
25 or the registered mailing address if different, unless the ground  
26 for voting by mail is:

27            (1) absence from the county of residence, in which

1 case the address must be an address outside the voter's county of  
2 residence; or

3 (2) [~~confinement in jail, in which case the address~~  
4 ~~must be the address of the jail or of a relative described by~~  
5 ~~Section 84.002(a)(4); or~~

6 [(3) ~~age or~~] disability and the voter is living at a  
7 hospital, nursing home or other long-term care facility, or  
8 retirement center, or with a relative described by Section  
9 84.002(a)(3), in which case the address must be the address of that  
10 facility or relative.

11 SECTION 65. Chapter 86, Election Code, is amended by adding  
12 Section 86.0053 to read as follows:

13 Sec. 86.0053. WITNESS REQUIRED FOR BALLOTS VOTED BY MAIL.

14 (a) A ballot voted by mail in accordance with this chapter is not  
15 valid unless:

16 (1) the voter signs the carrier envelope in the  
17 presence of a witness or a notary public; and

18 (2) the witness or notary public signs the carrier  
19 envelope.

20 (b) A person who serves as a witness must provide the  
21 person's name, address, and telephone number on the carrier  
22 envelope.

23 (c) A person may not serve as a witness for more than:

24 (1) one voter under this section who is not related to  
25 the person within the second degree by affinity or third degree by  
26 consanguinity, as determined under Subchapter B, Chapter 573,  
27 Government Code; or

1           (2) five voters under this section who are related to  
2 the person within the second degree by affinity or third degree by  
3 consanguinity, as determined under Subchapter B, Chapter 573,  
4 Government Code.

5           (d) The secretary of state shall adopt rules and prescribe  
6 procedures as necessary to implement this section.

7           SECTION 66. Section 86.006(a-1), Election Code, is amended  
8 to read as follows:

9           (a-1) The voter may deliver a marked ballot in person to the  
10 early voting clerk's office only while the polls are open on  
11 election day. A voter who delivers a marked ballot in person must  
12 present an acceptable form of identification described by Section  
13 63.0101. The ballot drop-off location at the early voting clerk's  
14 office must be located in a secure setting and under 24-hour  
15 security and video surveillance.

16           SECTION 67. Chapter 86, Election Code, is amended by adding  
17 Section 86.0061 to read as follows:

18           Sec. 86.0061. PROHIBITION ON VOTE HARVESTING OF MAIL IN  
19 BALLOTS. (a) A person commits an offense if the person knowingly  
20 collects or possesses a ballot voted by mail or official carrier  
21 envelope from a voter for the purpose of delivering votes for a  
22 specific candidate or measure.

23           (b) An offense under this section is a felony of the third  
24 degree punishable by imprisonment in the Texas Department of  
25 Criminal Justice for a term not to exceed five years, a fine not to  
26 exceed \$5,000, or both the imprisonment and the fine.

27           SECTION 68. Sections 86.007(a), (d), and (e), Election

1 Code, are amended to read as follows:

2 (a) Except as provided by Subsection (d), a marked ballot  
3 voted by mail must arrive at the address on the carrier envelope[+]

4 [~~(1)~~] before the time the polls are required to close  
5 on election day[~~+~~ or

6 [~~(2) not later than 5 p.m. on the day after election~~  
7 ~~day, if the carrier envelope was placed for delivery by mail or~~  
8 ~~common or contract carrier before election day and bears a~~  
9 ~~cancellation mark of a common or contract carrier or a courier~~  
10 ~~indicating a time not later than 7 p.m. at the location of the~~  
11 ~~election on election day].~~

12 (d) A marked ballot voted by mail that arrives after the  
13 time prescribed by Subsection (a) shall be counted if:

14 (1) the ballot was cast from an address outside the  
15 United States;

16 (2) the carrier envelope was placed for delivery  
17 before the time the ballot is required to arrive under Subsection  
18 (a) [~~(a)(1)~~]; and

19 (3) the ballot arrives at the address on the carrier  
20 envelope not later than the fifth day after the date of the  
21 election.

22 (e) A delivery under Subsection [~~(a)(2) or~~] (d) is timely,  
23 except as otherwise provided by this title, if the carrier envelope  
24 or, if applicable, the envelope containing the carrier envelope:

25 (1) is properly addressed with postage or handling  
26 charges prepaid; and

27 (2) bears a cancellation mark of a recognized postal

1 service or a receipt mark of a common or contract carrier or a  
2 courier indicating a time before the deadline.

3 SECTION 69. Section 86.011, Election Code, is amended by  
4 amending Subsections (b) and (c) and adding Subsection (a-1) to  
5 read as follows:

6 (a-1) The early voting clerk shall scan the unique barcode  
7 on the official carrier envelope, make a record of the barcode, and  
8 determine whether the unique barcode matches the barcode of an  
9 official carrier envelope recorded under Section 86.001(j). The  
10 clerk shall reject a carrier envelope with a barcode that:

11 (1) does not match the barcode of an official carrier  
12 envelope recorded under Section 86.001(j); or

13 (2) matches a barcode of an official carrier envelope  
14 that has already been received by the early voting clerk.

15 (b) If the return is timely and the carrier envelope is not  
16 rejected under Subsection (a-1), the clerk shall enclose the  
17 carrier envelope and the voter's early voting ballot application in  
18 a jacket envelope. The clerk shall also include in the jacket  
19 envelope:

20 (1) a copy of the voter's federal postcard application  
21 if the ballot is voted under Chapter 101; and

22 (2) the signature cover sheet, if the ballot is voted  
23 under Chapter 105.

24 (c) If the return is not timely or the carrier envelope is  
25 rejected under Subsection (a-1), the clerk shall enter the time of  
26 receipt on the carrier envelope and retain it for the period for  
27 preserving the precinct election records. The clerk shall destroy



1 the unopened envelope and its contents after the preservation  
2 period.

3 SECTION 70. Section 86.013, Election Code, is amended by  
4 amending Subsection (b) and adding Subsection (h) to read as  
5 follows:

6 (b) Spaces must appear on the reverse side of the official  
7 carrier envelope for:

8 (1) indicating the identity and date of the election;  
9 ~~and~~

10 (2) entering the signature, printed name, and  
11 residence address of a person other than the voter who deposits the  
12 carrier envelope in the mail or with a common or contract carrier;

13 (3) entering the signature, printed name, residence  
14 address, and telephone number of the person who witnesses the voter  
15 sign the carrier envelope under Section 86.0053; and

16 (4) placing the signature and seal of a notary public  
17 who witnesses the voter sign the carrier envelope under Section  
18 86.0053.

19 (h) Each official carrier envelope must include a unique  
20 barcode that may be identified and recorded by the early voting  
21 clerk under Sections 86.001(j) and 86.011(a-1).

22 SECTION 71. Chapter 86, Election Code, is amended by adding  
23 Section 86.015 to read as follows:

24 Sec. 86.015. STATE ELECTION DATABASE. (a) The secretary of  
25 state shall maintain a state election database that is available to  
26 the public for review.

27 (b) Not later than 24 hours after the early voting clerk

1 receives an application to vote by mail, places an official ballot  
2 in the mail, or receives a marked ballot voted by mail, the clerk  
3 shall upload the following information to the state election  
4 database:

- 5           (1) the name of the person who:  
6                    (A) provided an application to vote by mail;  
7                    (B) received an official ballot to be voted by  
8 mail; or  
9                    (C) returned an official ballot voted by mail;

10 and

- 11           (2) the time and date that:  
12                    (A) the application was received;  
13                    (B) the official ballot was placed in the mail;  
14 or  
15                    (C) the marked ballot voted by mail was received.

16           (c) The secretary of state shall adopt rules and prescribe  
17 procedures as necessary to implement this section.

18           SECTION 72. Section 87.0241(b), Election Code, is amended  
19 to read as follows:

20           (b) The board may not count early voting ballots until[+  
21                    [~~(1)~~] the polls close [~~open~~] on election day[~~, or~~  
22                    [~~(2)~~] ~~in an election conducted by an authority of a~~  
23 ~~county with a population of 100,000 or more or conducted jointly~~  
24 ~~with such a county, the end of the period for early voting by~~  
25 ~~personal appearance].~~

26           SECTION 73. Section 87.027, Election Code, is amended by  
27 amending Subsection (i) and adding Subsection (i-1) to read as

1 follows:

2 (i) The signature verification committee shall compare the  
3 signature on each carrier envelope certificate, except those signed  
4 for a voter by a witness, with the signature on the voter's ballot  
5 application and the voter's registration application to determine  
6 whether the signatures are those of the voter. The committee may  
7 also compare the signatures with any two or more signatures of the  
8 voter made within the preceding six years and on file with the  
9 county clerk or voter registrar to determine whether the signatures  
10 are those of the voter. Except as provided by Subsection (l), a  
11 determination under this subsection that the signatures are not  
12 those of the voter must be made by a majority vote of the  
13 committee's membership. The committee shall place the jacket  
14 envelopes, carrier envelopes, and applications of voters whose  
15 signatures are not those of the voter in separate containers from  
16 those of voters whose signatures are those of the voter. The  
17 committee chair shall deliver the sorted materials to the early  
18 voting ballot board at the time specified by the board's presiding  
19 judge.

20 (i-1) If the signature verification committee uses software  
21 to compare signatures under Subsection (i), the software must have  
22 a 95 percent rate of accuracy.

23 SECTION 74. Section 87.041, Election Code, is amended by  
24 amending Subsections (b) and (e) and adding Subsection (e-1) to  
25 read as follows:

26 (b) A ballot may be accepted only if:

27 (1) the carrier envelope certificate is properly

1 executed;

2 (2) neither the voter's signature on the ballot  
3 application nor the signature on the carrier envelope certificate  
4 is determined to have been executed by a person other than the  
5 voter, unless signed by a witness;

6 (3) the voter's ballot application states a legal  
7 ground for early voting by mail;

8 (4) the voter is registered to vote, if registration  
9 is required by law;

10 (5) the address to which the ballot was mailed to the  
11 voter, as indicated by the application, was outside the voter's  
12 county of residence, if the ground for early voting is absence from  
13 the county of residence;

14 (6) for a voter to whom a statement of residence form  
15 was required to be sent under Section 86.002(a), the statement of  
16 residence is returned in the carrier envelope and indicates that  
17 the voter satisfies the residence requirements prescribed by  
18 Section 63.0011; ~~and~~

19 (7) the address to which the ballot was mailed to the  
20 voter is an address that is otherwise required by Sections 84.002  
21 and 86.003; and

22 (8) the carrier envelope is signed by a witness or  
23 notary public as required under Section 86.0053.

24 (e) In making the determination under Subsection (b)(2),  
25 the board shall compare the signature of the voter on the carrier  
26 envelope certificate with the signature of the voter on the voter's  
27 registration application submitted under Section 13.002. The board

1 may also compare the signatures with any two or more signatures of  
2 the voter made within the preceding six years and on file with the  
3 county clerk or voter registrar to determine whether the signatures  
4 are those of the voter.

5 (e-1) If the board uses software to compare signatures under  
6 Subsection (b)(2), the software must have a 95 percent rate of  
7 accuracy.

8 SECTION 75. Section 87.062, Election Code, is amended by  
9 adding Subsection (a-1) to read as follows:

10 (a-1) Before counting a ballot voted by mail, the early  
11 voting ballot board shall identify the unique barcode or microchip  
12 included on the ballot under Section 52.076, make a record  
13 indicating that the board has counted a ballot with that barcode or  
14 microchip, and compare the barcode or microchip to records of other  
15 counted ballots. If the barcode or microchip on the ballot is the  
16 same as a barcode or microchip recorded for a ballot that has  
17 already been counted, the board may not count the ballot. Ballots  
18 not counted under this section shall be placed in an envelope and  
19 treated in the same manner as rejected ballots under Section  
20 87.043.

21 SECTION 76. Section 87.103, Election Code, is amended to  
22 read as follows:

23 Sec. 87.103. COUNTING BALLOTS AND PREPARING RETURNS. (a)  
24 The early voting electronic system ballots counted at a central  
25 counting station, the ballots cast at precinct polling places, and  
26 the ballots voted by mail shall be tabulated separately [~~from the~~  
27 ~~ballots cast at precinct polling places~~] and shall be separately

1 reported on the returns.

2 (a-1) Before counting a ballot voted by mail, the unique  
3 barcode or microchip included on each ballot under Section 52.076  
4 must be identified, recorded, and compared to the barcode or  
5 microchip records of other counted ballots. If the barcode or  
6 microchip on the ballot is the same as a barcode or microchip  
7 recorded for a ballot that has already been counted, the ballot may  
8 not be counted. Ballots not counted under this section shall be  
9 placed in an envelope and treated in the same manner as rejected  
10 ballots under Section 87.043.

11 (b) The early voting returns prepared at the central  
12 counting station must include any early voting results obtained by  
13 the early voting ballot board under Subchapter [~~Subchapters~~] D [~~and~~  
14 ~~E~~].

15 SECTION 77. Chapter 121, Election Code, is amended by  
16 adding Section 121.004 to read as follows:

17 Sec. 121.004. COMMUNICATIONS WITH VOTING SYSTEMS VENDOR  
18 PUBLIC INFORMATION. Notwithstanding any other law, including  
19 Chapter 552, Government Code, a written letter, e-mail, or other  
20 communication, including a communication made confidential by  
21 other law, between a public official and a voting systems vendor:

22 (1) is not confidential;

23 (2) is public information for purposes of Chapter 552,  
24 Government Code; and

25 (3) is not subject to an exception to disclosure  
26 provided by Chapter 552, Government Code.

27 SECTION 78. Subchapter A, Chapter 127, Election Code, is

1 amended by adding Sections 127.008 and 127.009 to read as follows:

2 Sec. 127.008. VOTE COUNTING EQUIPMENT IN CENTRAL COUNTING  
3 STATION. No equipment to count votes shall be used that is capable  
4 of being connected to the Internet or any other computer network.

5 Sec. 127.009. EXCEPTION REPORT FOR REPAIRS OR MAINTENANCE.  
6 A person performing requested repairs or maintenance of equipment  
7 at a central counting station in accordance with this title may, as  
8 necessary, enter the central counting station with an electronic  
9 device capable of being connected to the Internet. After  
10 performing the requested repairs or maintenance, the person shall,  
11 not later than the third business day after the date the person  
12 entered the counting station, file an exception report with the  
13 secretary of state in a form adopted by the secretary for that  
14 purpose.

15 SECTION 79. Section 127.201(a), Election Code, is amended  
16 to read as follows:

17 (a) To ensure the accuracy of the tabulation of electronic  
18 voting system results, the general custodian of election records  
19 shall conduct a manual count of all the races in at least one  
20 percent of the election precincts or in the three largest  
21 precincts, whichever represents a [is] greater number of voters, in  
22 which the electronic voting system was used. The custodian shall  
23 publicly select the final three precincts at random and shall begin  
24 the count not later than 72 hours after the polls close. The count  
25 shall be completed not later than the 21st day after election day.  
26 Subsection (b) supersedes this subsection to the extent of a  
27 conflict.

1 SECTION 80. Subchapter A, Chapter 129, Election Code, is  
2 amended by adding Section 129.003 to read as follows:

3 Sec. 129.003. SECURE VOTING SYSTEM REQUIRED. (a) In this  
4 section, "secure voting system" means a voting system that:

5 (1) uses voting machines that are not capable of  
6 connecting to the Internet or otherwise wirelessly connecting to  
7 another electronic device; and

8 (2) either:

9 (A) uses a paper record; or

10 (B) produces a paper receipt by which a voter can  
11 verify that the voter's ballot will be counted accurately.

12 (b) A voting system that consists of direct recording  
13 electronic voting machines may not be used in an election unless the  
14 system is a secure voting system.

15 (c) Except for a recount under Title 13, the electronic vote  
16 is the official record of the ballot. For a recount of ballots cast  
17 on a system involving direct recording electronic voting machines,  
18 the paper record or receipt copy is the official record of the vote  
19 cast.

20 SECTION 81. Section 213.013(i), Election Code, is amended  
21 to read as follows:

22 (i) On ~~[No device capable of recording images or sound is~~  
23 ~~allowed inside the room in which the recount is conducted, or in any~~  
24 ~~hallway or corridor in the building in which the recount is~~  
25 ~~conducted within 30 feet of the entrance to the room, while the~~  
26 ~~recount is in progress unless the person entitled to be present at~~  
27 ~~the recount agrees to disable or deactivate the device. However,~~



1 ~~on~~] request of a person entitled to appoint watchers to serve at the  
2 recount, the recount committee chair shall permit the person to  
3 photocopy under the chair's supervision any ballot, including any  
4 supporting materials, challenged by the person or person's watcher.  
5 The person must pay a reasonable charge for making the copies and,  
6 if no photocopying equipment is available, may supply that  
7 equipment at the person's expense. The person shall provide a copy  
8 on request to another person entitled to appoint watchers to serve  
9 at the recount.

10 SECTION 82. Section 272.011(b), Election Code, is amended  
11 to read as follows:

12 (b) The secretary of state shall prepare the translation for  
13 election materials required to be provided in a language other than  
14 English or Spanish for the following state prescribed voter forms:

15 (1) voter registration application form required by  
16 Section 13.002;

17 (2) the confirmation form required by Section 15.051;

18 (3) the voting instruction poster required by Section  
19 62.011;

20 (4) ~~[the reasonable impediment declaration required~~  
21 ~~by Section 63.001(b)],~~

22 ~~[(5)]~~ the statement of residence form required by  
23 Section 63.0011;

24 (5) ~~[(6)]~~ the provisional ballot affidavit required  
25 by Section 63.011;

26 (6) ~~[(7)]~~ the application for a ballot by mail  
27 required by Section 84.011;

1           (7) [~~(8)~~] the carrier envelope and voting  
2 instructions required by Section 86.013; and

3           (8) [~~(9)~~] any other voter forms that the secretary of  
4 state identifies as frequently used and for which state resources  
5 are otherwise available.

6           SECTION 83. The heading to Subchapter D, Chapter 273,  
7 Election Code, is amended to read as follows:

8                   SUBCHAPTER D. MANDAMUS [~~BY APPELLATE COURT~~]

9           SECTION 84. Section 273.061, Election Code, is amended to  
10 read as follows:

11           Sec. 273.061. JURISDICTION. (a) The supreme court or a  
12 court of appeals may issue a writ of mandamus to compel the  
13 performance of any duty imposed by law in connection with the  
14 holding of a statewide [an] election, an election for the office of  
15 state senator or state representative, or a political party  
16 convention, regardless of whether the person responsible for  
17 performing the duty is a public officer.

18                   (b) A district court may issue a writ of mandamus to compel  
19 the performance of any duty imposed by law in connection with the  
20 holding of an election by a municipality, county, or other  
21 political subdivision.

22           SECTION 85. Subchapter D, Chapter 273, Election Code, is  
23 amended by adding Section 273.064 to read as follows:

24           Sec. 273.064. VENUE IN DISTRICT COURT. (a) A petition to a  
25 district court for a writ of mandamus under this subchapter must be  
26 filed in a district court in Travis County or in the county in which  
27 the election was held or is to be held.

1        (b) For an election held or to be held by a political  
2 subdivision other than a municipality or county, a petition filed  
3 under this section may be filed in Travis County or in any county  
4 that contains a portion of the territory of the political  
5 subdivision.

6        SECTION 86. Subchapter [A](#), Chapter [22](#), Government Code, is  
7 amended by adding Section 22.023 to read as follows:

8        Sec. 22.023. PREFERENCE FOR HEARINGS OR TRIALS RELATED TO  
9 ELECTIONS. The supreme court shall give preference to a hearing or  
10 trial related to the conduct of an election.

11        SECTION 87. Subchapter [C](#), Chapter [22](#), Government Code, is  
12 amended by adding Section 22.229 to read as follows:

13        Sec. 22.229. PREFERENCE FOR HEARINGS OR TRIALS RELATED TO  
14 ELECTIONS. A court of appeals shall give preference to a hearing or  
15 trial related to the conduct of an election.

16        SECTION 88. Section [23.101](#), Government Code, is amended by  
17 adding Subsection (e) to read as follows:

18        (e) The trial courts of this state shall give preference to  
19 a hearing or trial related to the conduct of an election, above the  
20 preference described by Subsection (a).

21        SECTION 89. Section [62.113](#)(b), Government Code, is amended  
22 to read as follows:

23        (b) On the third business day of each month, the clerk shall  
24 send a copy of the list of persons excused or disqualified because  
25 of citizenship in the previous month to:

26                (1) the voter registrar of the county;

27                (2) the secretary of state; and

1           (3) the county or district attorney, as applicable, or  
2 the attorney general for an investigation of whether the person  
3 committed an offense under Section 13.007, Election Code, or other  
4 law.

5           SECTION 90. Sections 62.114(b) and (c), Government Code,  
6 are amended to read as follows:

7           (b) On the third business day of each month, the clerk shall  
8 send [~~to the voter registrar of the county~~] a copy of the list of  
9 persons excused or disqualified in the previous month because the  
10 persons do not reside in the county to:

11                   (1) the voter registrar of the county;

12                   (2) the secretary of state; and

13                   (3) the county or district attorney, as applicable, or  
14 the attorney general for an investigation of whether the person  
15 committed an offense under Section 13.007, Election Code, or other  
16 law.

17           (c) A list compiled under this section may not be used for a  
18 purpose other than a purpose described by Subsection (b) or Section  
19 15.081 or 18.068, Election Code.

20           SECTION 91. Subchapter H, Chapter 411, Government Code, is  
21 amended by adding Section 411.1791 to read as follows:

22           Sec. 411.1791. FORM OF NONCITIZEN LICENSE. In adopting the  
23 form of a license under Section 411.179(a), the department shall  
24 ensure that a license issued to a person who is not a citizen of the  
25 United States:

26                   (1) has a substantially different design from a  
27 license issued to a person who is a citizen; and

1           (2) displays the word "NONCITIZEN" on both the front  
2 and back of the license.

3           SECTION 92. Subchapter H, Chapter 411, Government Code, is  
4 amended by adding Section 411.1955 to read as follows:

5           Sec. 411.1955. EXEMPTION FOR INDIGENT INDIVIDUALS. (a) In  
6 this section, "indigent" means a person who is not financially able  
7 to afford a fee under this subchapter.

8           (b) An indigent individual is entitled to an exemption from  
9 the payment of fees for the issuance of an original or renewed  
10 license under this subchapter.

11           (c) The department shall adopt criteria and a process to  
12 determine if an individual is indigent and any other rules or  
13 procedures necessary to implement this section.

14           SECTION 93. Section 521.054, Transportation Code, is  
15 amended by adding Subsection (e) to read as follows:

16           (e) If the department is notified that a person over the age  
17 of 18 has changed the person's address under this section, the  
18 department shall forward the change of address notification to the  
19 voter registrar for the county where the person previously resided.

20           SECTION 94. Subchapter B, Chapter 531, Government Code, is  
21 amended by adding Section 531.024132 to read as follows:

22           Sec. 531.024132. VOTER IDENTIFICATION ACQUISITION FOR  
23 INDIVIDUALS WITH A DISABILITY. (a) The commission shall develop  
24 and implement a voter identification acquisition program to assist  
25 an individual with a disability who is registered to vote in  
26 obtaining an original, renewal, or duplicate form of photo  
27 identification listed in Section 63.0101(a), Election Code, by:

1           (1) providing the individual with transportation to  
2 the office of a state or federal agency; or

3           (2) coordinating with an employee of a state or  
4 federal agency to transport the employee to the individual's home  
5 or another location convenient to the individual.

6           (b) The commission may adopt rules necessary to implement  
7 this section.

8           SECTION 95. Subchapter E, Chapter 521, Transportation Code,  
9 is amended by adding Section 521.1011 to read as follows:

10           Sec. 521.1011. DESIGNATOR ON CERTIFICATE ISSUED TO  
11 NONCITIZEN. A personal identification certificate issued to a  
12 person who is not a citizen of the United States must:

13           (1) have a substantially different design from a  
14 personal identification certificate issued to a person who is a  
15 citizen; and

16           (2) display the word "NONCITIZEN" on both the front  
17 and back of the certificate.

18           SECTION 96. Subchapter F, Chapter 521, Transportation Code,  
19 is amended by adding Section 521.1231 to read as follows:

20           Sec. 521.1231. DESIGNATOR ON LICENSE ISSUED TO NONCITIZEN.  
21 A driver's license issued to an applicant who is not a citizen of  
22 the United States must:

23           (1) have a substantially different design from a  
24 driver's license issued to a person who is a citizen; and

25           (2) display the word "NONCITIZEN" on both the front  
26 and back of the license.

27           SECTION 97. Subchapter R, Chapter 521, Transportation Code,

1 is amended by adding Section 521.4268 to read as follows:

2 Sec. 521.4268. EXEMPTION FOR INDIGENT INDIVIDUALS. (a) In  
3 this section, "indigent" means a person who is not financially able  
4 to afford a fee under this chapter.

5 (b) An indigent individual is entitled to an exemption from  
6 the payment of fees under this chapter for the issuance of a  
7 driver's license or personal identification certificate.

8 (c) The department shall adopt criteria and a process to  
9 determine if an individual is indigent and any other rules or  
10 procedures necessary to implement this section.

11 SECTION 98. The following provisions of the Election Code  
12 are repealed:

- 13 (1) Section 15.082(d);
- 14 (2) Section 15.084(d);
- 15 (3) Section 20.006(c);
- 16 (4) Section 43.004(c);
- 17 (5) Section 43.007;
- 18 (6) Section 63.001(i);
- 19 (7) Section 63.0013;
- 20 (8) Section 63.0101(b);
- 21 (9) Section 65.002(b);
- 22 (10) Section 82.003;
- 23 (11) Section 82.004;
- 24 (12) Section 84.009;
- 25 (13) Section 84.032(e); and
- 26 (14) Section 127.201(f).

27 SECTION 99. The changes in law made by this Act apply only

1 to an application to vote an early voting ballot by mail submitted  
2 on or after the effective date of this Act. An application to vote  
3 an early voting ballot by mail submitted before the effective date  
4 of this Act is governed by the law in effect when the application  
5 was submitted, and the former law is continued in effect for that  
6 purpose.

7 SECTION 100. The changes in law made by this Act apply only  
8 to a license to carry a handgun, personal identification  
9 certificate, or driver's license issued or renewed on or after the  
10 effective date of this Act. A license to carry a handgun, personal  
11 identification certificate, or driver's license issued or renewed  
12 before the effective date of this Act is governed by the law in  
13 effect when the license or certificate was issued or renewed, and  
14 the former law is continued in effect for that purpose.

15 SECTION 101. The changes in law made by this Act apply only  
16 to an application to register to vote submitted on or after the  
17 effective date of this Act.

18 SECTION 102. This Act takes effect immediately if it  
19 receives a vote of two-thirds of all the members elected to each  
20 house, as provided by Section 39, Article III, Texas Constitution.  
21 If this Act does not receive the vote necessary for immediate  
22 effect, this Act takes effect September 1, 2021.