

By: Zaffirini

S.B. No. 1899

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to elections.

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

4 SECTION 1. Section 13.001(b), Election Code, is amended to  
5 read as follows:

6 (b) To be eligible to apply for registration, a person must,  
7 on the date the registration application is submitted to the  
8 registrar, be at least 16 [~~17~~] years [~~and 10 months~~] of age and  
9 satisfy the requirements of Subsection (a) except for age.

10 SECTION 2. Section 13.002, Election Code, is amended by  
11 amending Subsections (a) and (e) and adding Subsections (c-1) and  
12 (e-1) to read as follows:

13 (a) A person desiring to register to vote must submit an  
14 application to the registrar of the county in which the person  
15 resides. Except as provided by Subsections [~~Subsection~~] (e) and  
16 (e-1), an application must be submitted by personal delivery, by  
17 mail, or by telephonic facsimile machine in accordance with  
18 Sections 13.143(d) and (d-2).

19 (c-1) In addition to the other requirements prescribed by  
20 this section, an application must include a space for an applicant  
21 under 18 years of age to respond to the following question: "Are you  
22 at least 16 years of age and understand that you must be 18 years of  
23 age on or before election day to vote, and that until you will be 18  
24 years of age at the time of such election your registration will be

1 marked 'pending' and you will be unable to cast a ballot in any  
2 election?"

3 (e) Notwithstanding Section 82.005, a [A] person who is  
4 certified for participation in the address confidentiality program  
5 administered by the attorney general under Subchapter B, Chapter  
6 58, Code of Criminal Procedure, is not eligible for early voting by  
7 mail [~~under Section 82.007~~] unless the person submits an  
8 application under this section by personal delivery. The secretary  
9 of state may adopt rules to implement this subsection.

10 (e-1) A registrar shall adopt procedures to allow a voter  
11 registration agency to deliver a completed voter registration  
12 application over the Internet. The secretary of state shall review  
13 any procedures adopted under this section to ensure the procedures  
14 comply with the provisions of this code.

15 SECTION 3. Subchapter A, Chapter 13, Election Code, is  
16 amended by adding Section 13.009 to read as follows:

17 Sec. 13.009. ELECTRONIC VOTER REGISTRATION. (a) The  
18 secretary of state shall implement a program to allow a person to  
19 complete a voter registration application over the Internet from  
20 the official website of this state. The Internet websites of the  
21 secretary of state and the Department of Public Safety must also  
22 provide a link to the location of the application on the official  
23 Internet website of this state.

24 (b) An applicant for electronic voter registration who has a  
25 driver's license or personal identification card issued in this  
26 state, regardless of whether the license or card is unexpired,  
27 must:

1           (1) attest to the truth of the information provided on  
2 the application by affirmatively accepting the information as true;  
3 and

4           (2) affirmatively consent to the use of the signature  
5 on the applicant's driver's license or personal identification card  
6 for voter registration purposes.

7           (c) An applicant for electronic voter registration who does  
8 not have a driver's license or personal identification card issued  
9 in this state must:

10           (1) attest to the truth of the information provided on  
11 the application by affirmatively accepting the information as true;  
12 and

13           (2) print a registration application from the Internet  
14 website the applicant is using to register, sign the application,  
15 and mail it to the registrar.

16           (d) For each application submitted under Subsection (b),  
17 the program shall require that a digital copy of the applicant's  
18 signature be obtained from the Department of Public Safety.

19           (e) For each application submitted under Subsection (c),  
20 the program shall provide the applicant with:

21           (1) a registration application that the applicant can  
22 print from the registration website, sign, and mail to the  
23 registrar as required under Subsection (c)(2); and

24           (2) information about how the applicant can obtain a  
25 driver's license or personal identification card from the  
26 Department of Public Safety.

27           (f) An application submitted under this section is

1 considered for all purposes an application submitted by mail under  
2 this title.

3 (g) The secretary of state shall adopt rules as necessary to  
4 implement this section, including rules to provide for additional  
5 security measures necessary to ensure the accuracy and integrity of  
6 applications submitted electronically.

7 (h) The rules adopted under Subsection (g) must require  
8 that:

9 (1) the Internet website through which a person may  
10 complete a voter registration application include a description of  
11 the offense described by Section 13.007 in a conspicuous location  
12 on the website near the place where the person begins or submits the  
13 application; and

14 (2) the state electronic Internet portal project be  
15 used to authenticate the identity of a person who submits an  
16 application electronically under this section.

17 SECTION 4. Subchapter A, Chapter 13, Election Code, is  
18 amended by adding Section 13.010 to read as follows:

19 Sec. 13.010. AUTOMATIC VOTER REGISTRATION. (a) The voter  
20 registrar of each county shall automatically register any county  
21 resident who is eligible to vote as provided by Section 13.001 and:

22 (1) is issued a Texas driver's license or a personal  
23 identification card by the Department of Public Safety; or

24 (2) makes a change to a Texas driver's license or  
25 personal identification card issued by the Department of Public  
26 Safety.

27 (b) A driver's license or personal identification card

1 transaction with an indication provided by Section 262(b) or  
2 20.063(c) that the transaction is not for voter registration  
3 purposes is not subject to this section.

4 (c) The secretary of state by rule shall prescribe  
5 procedures for the voter registrar of each county to automatically  
6 register any county resident who is eligible to vote when the  
7 resident applies for agency services at any agency designated under  
8 Chapter 20.

9 (d) It is a defense to prosecution under Section 64.012 or  
10 other law that a voter did not wilfully or knowingly seek to  
11 register to vote when the voter is not eligible to do so as a result  
12 of merely failing to decline registration under this section or  
13 under Chapter 20.

14 SECTION 5. Section 13.046(h), Election Code, is amended to  
15 read as follows:

16 (h) The secretary of state shall:

17 (1) consult with the Texas Education Agency regarding  
18 the number of registration application forms to provide to each  
19 high school;

20 (2) provide to each high school registration  
21 application forms once each fall and spring semester in the number  
22 determined from the consultation under Subdivision (1); and

23 (3) prescribe any additional procedures necessary to  
24 implement this section.

25 SECTION 6. Section 15.021, Election Code, is amended by  
26 amending Subsections (b) and (d) and adding Subsections (d-1) and  
27 (d-2) to read as follows:

1           (b) Except as provided by Subsection (d), the ~~[The]~~ voter  
2 shall use the registration certificate or a registration  
3 application form as the notice, indicating the correct information  
4 in the appropriate space on the certificate or application form  
5 unless the voter does not have possession of the certificate or an  
6 application form at the time of giving the notice.

7           (d) A voter ~~[who continues to reside in the county in which~~  
8 ~~the voter is registered]~~ may correct information under this section  
9 by digital transmission of the information under a program  
10 administered by the secretary of state and the Department of  
11 Information Resources.

12           (d-1) If the notice indicates that a voter no longer resides  
13 in the county in which the voter is registered, the registrar shall  
14 forward the notice and the voter's original application for  
15 registration to the registrar of the county in which the voter  
16 resides. The registrars shall coordinate to ensure that the  
17 voter's existing registration is canceled immediately after the  
18 voter is registered in the county in which the voter resides in  
19 accordance with Subsection (d-2).

20           (d-2) A registrar who receives a voter's notice and  
21 application from another registrar under Subsection (d-1) shall  
22 treat it as an original application for registration under Section  
23 13.002, and shall register the voter if the voter resides in the  
24 county and is otherwise eligible under Section 13.001.

25           SECTION 7. Section 15.022, Election Code, is amended by  
26 adding Subsection (c) to read as follows:

27           (c) If an application clearly indicates that the applicant

1 resides in another county, the registrar shall forward the  
2 application to the other county's registrar not later than the  
3 second day after the date the application is received and, if the  
4 other county is not contiguous, shall deliver written notice of  
5 that action to the applicant not later than the seventh day after  
6 the date the application is received. The date of submission of a  
7 completed application to the wrong registrar is considered to be  
8 the date of submission to the proper registrar for purposes of  
9 determining the effective date of the registration.

10 SECTION 8. Section 20.032, Election Code, is amended by  
11 amending Subsections (a) and (c) and adding Subsection (e) to read  
12 as follows:

13 (a) An appropriate agency employee shall routinely inform  
14 each person who applies [~~in person~~] for agency services of the  
15 opportunity to complete a voter registration application form and  
16 on request shall provide nonpartisan voter registration assistance  
17 to the applicant.

18 (c) On receipt of a registration application, the  
19 appropriate agency employee shall review it for completeness [~~in~~  
20 ~~the applicant's presence~~]. If the application does not contain all  
21 the required information and the required signature, the agency  
22 employee shall return the application to the applicant for  
23 completion and resubmission.

24 (e) Notwithstanding any other provision of law, an agency  
25 shall adopt procedures providing for:

26 (1) a person applying for initial services,  
27 recertification, renewal, or change of address with the agency over

1 the Internet to also complete a voter registration application  
2 online; and

3 (2) the delivery of a voter registration application  
4 to the voter registrar over the Internet.

5 SECTION 9. Section 20.061, Election Code, is amended to  
6 read as follows:

7 Sec. 20.061. APPLICABILITY OF OTHER PROVISIONS. The other  
8 provisions of this chapter apply to the Department of Public Safety  
9 except provisions that conflict with this subchapter or Section  
10 13.010.

11 SECTION 10. Section 20.062(b), Election Code, is amended to  
12 read as follows:

13 (b) The department shall prescribe and use a change of  
14 address form and procedure that combines department and voter  
15 registration functions. The form must allow a licensee or  
16 cardholder to indicate that ~~[whether]~~ the change of address is not  
17 ~~[also to be used]~~ for voter registration purposes.

18 SECTION 11. Section 20.063, Election Code, is amended to  
19 read as follows:

20 Sec. 20.063. REGISTRATION PROCEDURES. (a) The Department  
21 of Public Safety shall consider an application made in person, by  
22 mail, or online at the department's Internet website ~~[provide to~~  
23 ~~each person who applies in person at the department's offices]~~ for  
24 an original or renewal of a driver's license, a personal  
25 identification card, or a duplicate or corrected license or card by  
26 a person who is eligible to vote as provided by Section 13.001 an  
27 application for ~~[opportunity to complete a]~~ voter registration.



1 The date of application is considered to be the date of submission  
2 to the voter registrar for the purpose of determining the effective  
3 date of registration [~~application form~~].

4 (b) The Department of Public Safety shall consider a change  
5 of address that relates to [~~When the department processes~~] a  
6 license or card and that is submitted to [~~for renewal by mail,~~] the  
7 department [~~shall deliver to the applicant by mail a voter~~  
8 ~~registration application form.~~

9 [~~(c) A change of address that relates to a license or card~~  
10 ~~and that is submitted to the department~~] in person, ~~[or]~~ by mail, or  
11 online at the department's Internet website [~~serves~~] as a change in  
12 [~~of address for~~] voter registration [~~unless the licensee or~~  
13 ~~cardholder indicates that the change is not for voter registration~~  
14 ~~purposes~~]. The date of submission of a change of address to a  
15 department employee is considered to be the date of submission to  
16 the voter registrar for the purpose of determining the effective  
17 date of registration [~~only~~].

18 (c) The registration of an eligible [~~(d) If a completed~~]  
19 voter as required by Subsections (a) and (b) is automatic unless the  
20 person indicates that the transaction is not for voter  
21 registration purposes [~~application submitted to a department~~  
22 ~~employee does not include the applicant's correct driver's license~~  
23 ~~number or personal identification card number, a department~~  
24 ~~employee shall enter the appropriate information on the~~  
25 ~~application. If a completed application does not include the~~  
26 ~~applicant's correct residence address or mailing address, a~~  
27 ~~department employee shall obtain the appropriate information from~~

1 ~~the applicant and enter the information on the application].~~

2 SECTION 12. Sections 20.065(a) and (b), Election Code, are  
3 amended to read as follows:

4 (a) At the end of each day a Department of Public Safety  
5 office is regularly open for business, the manager of the office  
6 shall deliver ~~[by mail or in person]~~ to the voter registrar of the  
7 county in which the office is located each completed voter  
8 registration application and applicable change of address  
9 submitted to a department employee.

10 (b) Each weekday the department is regularly open for  
11 business, the department shall electronically transfer to the  
12 secretary of state the name and information designated by the  
13 secretary of state for ~~[of each person who completes a]~~ voter  
14 registration for each individual who is eligible to vote as  
15 provided by Section 13.001 and applies in person, by mail, or online  
16 at the department's Internet website for an original or renewal of a  
17 driver's license, a personal identification card, or a duplicate or  
18 corrected license or card ~~[application submitted to the~~  
19 ~~department]~~. The secretary shall prescribe procedures necessary to  
20 implement this subsection.

21 SECTION 13. Section 20.092(a), Election Code, is amended to  
22 read as follows:

23 (a) A public library shall provide to each person of voting  
24 age who applies ~~[in person]~~ for an original or renewal of a library  
25 card an opportunity to complete a voter registration application  
26 form.

27 SECTION 14. Section 43.007(f), Election Code, is amended to

1 read as follows:

2 (f) In selecting countywide polling places, a county must  
3 adopt a methodology for determining where each polling place will  
4 be located. The total number of countywide polling places may not  
5 be less than 80~~+~~

6 ~~[(1) except as provided by Subdivision (2), 50]~~  
7 percent of the number of precinct polling places that would  
8 otherwise be located in the county for that election~~[, or~~

9 ~~[(2) for an election held in the first year in which~~  
10 ~~the county participates in the program, 65 percent of the number of~~  
11 ~~precinct polling places that would otherwise be located in the~~  
12 ~~county for that election].~~

13 SECTION 15. Subchapter A, Chapter 43, Election Code, is  
14 amended by adding Section 43.008 to read as follows:

15 Sec. 43.008. CAMPUS POLLING PLACE. (a) The commissioners  
16 court of a county shall designate as a polling place a location on  
17 the main campus of an institution of higher education as defined by  
18 Section 61.003, Education Code, located within the county if at  
19 least 5,000 students are enrolled in the institution.

20 (b) The commissioners court of a county shall designate two  
21 polling places on the main campus of an institution of higher  
22 education as defined by Section 61.003, Education Code, if at least  
23 10,000 students are enrolled in the institution, and shall  
24 designate one additional polling place for every additional 10,000  
25 students enrolled in the institution.

26 SECTION 16. Section 82.005, Election Code, is amended to  
27 read as follows:

1           Sec. 82.005. ELIGIBILITY FOR EARLY VOTING [~~BY PERSONAL~~  
2 ~~APPEARANCE~~]. Any qualified voter is eligible for early voting by  
3 mail or personal appearance.

4           SECTION 17. Section 82.007, Election Code, is amended to  
5 read as follows:

6           Sec. 82.007. PARTICIPATION IN ADDRESS CONFIDENTIALITY  
7 PROGRAM. Notwithstanding Section 82.005, a [A] qualified voter  
8 who, [is eligible for early voting by mail if:

9                   ~~[(1) the voter submitted a registration application by~~  
10 ~~personal delivery as required by Section 13.002(e); and~~

11                   ~~[(2)]~~ at the time the voter's early voting ballot  
12 application is submitted, ~~[the voter]~~ is certified for  
13 participation in the address confidentiality program administered  
14 by the attorney general under Subchapter B, Chapter 58, Code of  
15 Criminal Procedure, is eligible for early voting by mail only if the  
16 voter submitted a registration application by personal delivery as  
17 required by Section 13.002(e).

18           SECTION 18. Sections 84.001(a) and (b), Election Code, are  
19 amended to read as follows:

20           (a) To be entitled to vote an early voting ballot by mail, a  
21 person ~~[who is eligible for early voting]~~ must make an application  
22 for an early voting ballot to be voted by mail as provided by this  
23 title.

24           SECTION 19. Section 84.002(a), Election Code, is amended to  
25 read as follows:

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

27                   (1) the applicant's name and the address at which the

1 applicant is registered to vote;

2 (2) for an application for a ballot to be voted by mail  
3 by an applicant who will be absent from the applicant's [~~on the~~  
4 ~~ground of absence from the~~] county of residence on election day, the  
5 address outside the applicant's county of residence to which the  
6 ballot is to be mailed;

7 (3) for an application for a ballot to be voted by mail  
8 by an applicant who is 65 years of age or older on election day or  
9 has a sickness or physical condition that requires the applicant to  
10 reside in a hospital or nursing home or other long-term care  
11 facility, or with a relative [~~on the ground of age or disability~~],  
12 the address of the hospital, nursing home or other long-term care  
13 facility, or retirement center, or of a person related to the  
14 applicant within the second degree by affinity or the third degree  
15 by consanguinity, as determined under Chapter 573, Government Code,  
16 if the applicant is living at that address and that address is  
17 different from the address at which the applicant is registered to  
18 vote;

19 (4) for an application for a ballot to be voted by mail  
20 by an applicant who is confined [~~on the ground of confinement~~] in  
21 jail as described by Section 84.009(a), the address of the jail or  
22 of a person related to the applicant within the degree described by  
23 Subdivision (3); and

24 (5) [~~for an application for a ballot to be voted by~~  
25 ~~mail on any ground,~~] an indication of each election for which the  
26 applicant is applying for a ballot[, ~~and~~

27 [~~(6) an indication of the ground of eligibility for~~

1 ~~early voting~~].

2 SECTION 20. Section 84.009, Election Code, is amended by  
3 amending Subsection (a) and adding Subsection (b) to read as  
4 follows:

5 (a) This section applies only to an applicant who, at the  
6 time the application for a ballot to be voted by mail is submitted,  
7 is confined in jail:

8 (1) serving a misdemeanor sentence for a term that  
9 ends on or after election day;

10 (2) pending trial after denial of bail;

11 (3) without bail pending an appeal of a felony  
12 conviction; or

13 (4) pending trial or appeal on a bailable offense for  
14 which release on bail before election day is unlikely.

15 (b) On request of the applicant, an application for a ballot  
16 to be voted by mail [~~on the ground of confinement in jail~~] may be  
17 submitted to the early voting clerk, at the discretion of the  
18 authority in charge of the jail, by personal delivery by the jail  
19 authority or by a designated subordinate of the authority.

20 SECTION 21. Section 84.011(a), Election Code, is amended to  
21 read as follows:

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

24 (1) immediately preceding the signature space the  
25 statement: "I certify that the information given in this  
26 application is true, and I understand that giving false information  
27 in this application is a crime.";

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

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

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

8 (A) a space for an applicant [~~applying on the~~  
9 ~~ground of absence from the county of residence~~] to indicate whether  
10 the applicant will be absent from the applicant's county of  
11 residence on election day and, if applicable, the date on or after  
12 which the applicant can receive mail at the address outside the  
13 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 who is 65  
22 years of age or older on election day or has a sickness or physical  
23 condition that requires the applicant to reside in a hospital or  
24 nursing home or other long-term care facility, or with a relative,  
25 [~~applying on the ground of age or disability~~] to indicate that the  
26 address to which the ballot is to be mailed is the address of a  
27 facility or relative described by Section 84.002(a)(3), if

1 applicable;

2 (E) a space or box for an applicant confined  
3 [~~applying on the ground of confinement~~] in jail as described by  
4 Section 84.009(a) to indicate that the address to which the ballot  
5 is to be mailed is the address of a relative described by Section  
6 84.002(a)(4), if applicable;

7 (F) a space for an applicant [~~applying on the~~  
8 ~~ground of age or disability~~] to indicate if the application is an  
9 application under Section 86.0015;

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

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

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

16 SECTION 22. Section 84.032(c), Election Code, is amended to  
17 read as follows:

18 (c) An applicant may submit a request after the close of  
19 early voting by personal appearance by appearing in person and:

20 (1) returning the ballot to be voted by mail to the  
21 early voting clerk; or

22 (2) executing an affidavit that the applicant:

23 (A) has not received the ballot to be voted by  
24 mail; [~~or~~]

25 (B) never requested a ballot to be voted by mail;

26 or

27 (C) received notice of a defect under Section



1 87.0271(b) or 87.0411(b).

2 SECTION 23. Section 85.031(a), Election Code, is amended to  
3 read as follows:

4 (a) For each person entitled to vote an early voting ballot  
5 by personal appearance or who is entitled to register at a polling  
6 place, the early voting clerk shall follow the procedure for  
7 accepting a regular voter on election day, with the modifications  
8 necessary for the conduct of early voting.

9 SECTION 24. Section 86.0015(a), Election Code, is amended  
10 to read as follows:

11 (a) This section applies only to an application for a ballot  
12 to be voted by mail that [+

13 [~~(1) indicates the ground of eligibility is age or~~  
14 ~~disability, and~~

15 [~~(2)~~] does not specify the election for which a ballot  
16 is requested or has been marked by the applicant as an application  
17 for more than one election.

18 SECTION 25. Sections 86.003(c), Election Code, is amended  
19 to read as follows:

20 (c) The address to which the balloting materials must be  
21 addressed is the address at which the voter is registered to vote,  
22 or the registered mailing address if different, unless the  
23 application to vote early by mail indicates that the voter [~~ground~~  
24 ~~for voting by mail is~~]:

25 (1) will be absent from the voter's [~~absence from the~~  
26 county of residence on election day, in which case the address must  
27 be an address outside the voter's county of residence;

1           (2) is confined [~~confinement~~] in jail as described by  
2 Section 84.009(a), in which case the address must be the address of  
3 the jail or of a relative described by Section 84.002(a)(4); or

4           (3) is 65 years of age or older on election day or has a  
5 sickness or physical condition that requires the applicant to  
6 reside in a hospital or nursing home or other long-term care  
7 facility, or with a relative, [age or disability] and [the voter] is  
8 living at a hospital, nursing home or other long-term care  
9 facility, or retirement center, or with a relative described by  
10 Section 84.002(a)(3), in which case the address must be the address  
11 of that facility or relative.

12           SECTION 26. Section 86.004(b), Election Code, is amended to  
13 read as follows:

14           (b) For an election to which Section 101.104 applies, the  
15 balloting materials for a voter who indicates on the application  
16 for a ballot to be voted by mail or the federal postcard application  
17 that the voter seeks [~~is eligible~~] to vote early by mail as a  
18 consequence of the voter's being outside the United States shall be  
19 mailed on or before the later of the 45th day before election day or  
20 the seventh calendar day after the date the clerk receives the  
21 application. However, if it is not possible to mail the ballots by  
22 the deadline of the 45th day before election day, the clerk shall  
23 notify the secretary of state within 24 hours of knowing that the  
24 deadline will not be met. The secretary of state shall monitor the  
25 situation and advise the clerk, who shall mail the ballots as soon  
26 as possible in accordance with the secretary of state's guidelines.

27           SECTION 27. Sections 86.007(a) and (e), Election Code, are

1 amended to read as follows:

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

5 (1) before the time the polls are required to close on  
6 election day; or

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

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

16 (1) is properly addressed with postage or handling  
17 charges prepaid; and

18 (2) bears a cancellation mark of a recognized postal  
19 service or a receipt mark of a common or contract carrier or a  
20 courier indicating a time before the deadline.

21 SECTION 28. Chapter **86**, Election Code, is amended by adding  
22 Section 86.015 to read as follows:

23 Sec. 86.015. ELECTRONIC TRACKING OF APPLICATION FOR BALLOT  
24 VOTED BY MAIL OR BALLOT VOTED BY MAIL. (a) The secretary of state  
25 shall publish on the secretary's Internet website an online  
26 database that enables a person who submits an application for a  
27 ballot to be voted by mail to track the location and status of the

1 person's application and ballot.

2 (b) The database must include the following information for  
3 each person who submits an application for a ballot to be voted by  
4 mail:

5 (1) the date that the early voting clerk received the  
6 person's application for a ballot to be voted by mail;

7 (2) the date that the early voting clerk accepted or  
8 rejected the person's application for a ballot to be voted by mail;

9 (3) if the application is rejected, an explanation of  
10 why the application was rejected and instructions regarding how the  
11 person may proceed;

12 (4) the date the early voting clerk placed in the mail  
13 the person's official ballot;

14 (5) the date the early voting clerk received the  
15 person's marked ballot;

16 (6) the date that the early voting ballot board  
17 accepted or rejected the person's marked ballot; and

18 (7) instructions regarding how the person may cast a  
19 ballot in the election, if the early voting ballot board rejected  
20 the ballot.

21 (c) Except as provided by Subsections (d) and (e), each  
22 early voting clerk shall update the database with information  
23 required under Subsection (b) not less frequently than once per  
24 week.

25 (d) Beginning on the 90th day before the date of an  
26 election, the early voting clerk shall update the database at least  
27 once per day with information required under Subsection (b)

1 relating to that election.

2 (e) Not later than 20 days after the date of the election for  
3 which a person submitted an application under Section 86.0015, the  
4 early voting clerk shall update the person's information on the  
5 database for each election to which the application applies.

6 (f) The database must allow a person to:

7 (1) sort the information contained in the database by  
8 data points including the voter's:

9 (A) first and last name, as provided on the  
10 voter's application for voter registration;

11 (B) date of birth; and

12 (C) residence address zip code; and

13 (2) retrieve the information listed under Subsection  
14 (b) for a specific voter by inputting the voter's voter  
15 registration number.

16 (g) The database may not display information from a person's  
17 voter registration record except to the extent necessary to provide  
18 information described by Subsection (b).

19 (h) The secretary of state shall adopt rules and prescribe  
20 procedures as necessary to implement this section.

21 SECTION 29. Subchapter B, Chapter 87, Election Code, is  
22 amended by adding Section 87.0271 to read as follows:

23 Sec. 87.0271. OPPORTUNITY TO CORRECT DEFECT: SIGNATURE  
24 VERIFICATION COMMITTEE. (a) This section applies to an early  
25 voting ballot voted by mail:

26 (1) for which the voter did not sign the carrier  
27 envelope certificate;

1           (2) for which it cannot immediately be determined  
2 whether the signature on the carrier envelope certificate is that  
3 of the voter;

4           (3) missing any required statement of residence; or

5           (4) containing incomplete information with respect to  
6 a witness.

7           (b) Before deciding whether to accept or reject a ballot  
8 under Section 87.027, the signature verification committee may:

9           (1) return the carrier envelope to the voter by mail,  
10 if the signature verification committee determines that it would be  
11 possible to correct the defect and return the carrier envelope  
12 before the time the polls are required to close on election day; or

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

16                   (A) correct the defect; or

17                   (B) request to have the voter's application to  
18 vote by mail canceled under Section 84.032.

19           (c) If the signature verification committee takes an action  
20 described by Subsection (b), the committee must take either action  
21 described by that subsection with respect to each ballot in the  
22 election to which this section applies.

23           (d) A poll watcher is entitled to observe an action taken  
24 under Subsection (b).

25           (e) The secretary of state may prescribe any procedures  
26 necessary to implement this section.

27           SECTION 30. Sections 87.041(b), Election Code, is amended

1 to read as follows:

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

3 (1) the carrier envelope certificate is properly  
4 executed;

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

9 (3) ~~[the voter's ballot application states a legal  
10 ground for early voting by mail;~~

11 ~~[(4)]~~ the voter is registered to vote, if registration  
12 is required by law;

13 (4) ~~[(5) the address to which the ballot was mailed  
14 to the voter, as indicated by the application, was outside the  
15 voter's county of residence, if the ground for early voting is  
16 absence from the county of residence;~~

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

22 (5) ~~[(7)]~~ the address to which the ballot was mailed  
23 to the voter is an address ~~[that is otherwise]~~ required by Sections  
24 84.002 and 86.003.

25 SECTION 31. Subchapter C, Chapter 87, Election Code, is  
26 Amended by adding Section 87.0411 to read as follows:

27 Sec. 87.0411. OPPORTUNITY TO CORRECT DEFECT: EARLY VOTING

1 BALLOT BOARD. (a) This section applies to an early voting ballot  
2 voted by mail:

3 (1) for which the voter did not sign the carrier  
4 envelope certificate;

5 (2) for which it cannot immediately be determined  
6 whether the signature on the carrier envelope certificate is that  
7 of the voter;

8 (3) missing any required statement of residence; or

9 (4) containing incomplete information with respect to  
10 a witness.

11 (b) Before deciding whether to accept or reject a timely  
12 delivered ballot under Section 87.041, the early voting ballot  
13 board may:

14 (1) return the carrier envelope to the voter by mail,  
15 if the early voting ballot board determines that it would be  
16 possible to correct the defect and return the carrier envelope  
17 before the time the polls are required to close on election day; or

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

21 (A) correct the defect; or

22 (B) request to have the voter 's application to  
23 vote by mail canceled under Section 84.032.

24 (c) If the early voting ballot board takes an action  
25 described by Subsection (b), the board must take either action  
26 described by that subsection with respect to each ballot in the  
27 election to which this section applies.



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

3        (e) The secretary of state may prescribe any procedures  
4 necessary to implement this section.

5        SECTION 32. Section 102.001(a), Election Code, is amended  
6 to read as follows:

7        (a) A qualified voter is eligible to vote a late ballot as  
8 provided by this chapter if the voter has a sickness or physical  
9 condition [~~described by Section 82.002~~] that prevents the voter  
10 from appearing at the polling place on election day without a  
11 likelihood of needing personal assistance or of injuring the  
12 voter's health and originates on or after the day before the last  
13 day for submitting an application for a ballot to be voted by mail.

14        SECTION 33. The following provisions of the Election Code  
15 are repealed:

- 16            (1) Section 43.007(i);
- 17            (2) Sections 82.001, 82.002, 82.003, and 82.004;
- 18            (3) Section 84.002(b);
- 19            (4) Sections 86.007(d) and (g); and
- 20            (5) Section 112.002(b).

21        SECTION 34. (a) The voter registrar of a county must adopt  
22 procedures for the acceptance of voter registration applications  
23 under Section 13.002(e-1), Election Code, as added by this Act, not  
24 later than September 1, 2021.

25        (b) A voter registration agency must adopt procedures as  
26 required by Section 20.032(e), Election Code, as added by this Act,  
27 not later than September 1, 2021.

1           SECTION 35. Section 13.046(h), Election Code, as amended by  
2 this Act, applies beginning with the 2021-2022 school year.

3           SECTION 36. The secretary of state shall adopt rules as  
4 required by Section 63.010, Election Code, as added by this Act, not  
5 later than February 1, 2022.

6           SECTION 37. The secretary of state shall prescribe rules  
7 for the implementation of Section 13.010, Election Code, as added  
8 by this Act, not later than January 1, 2022. An agency designated  
9 under Chapter 20, Election Code, shall provide automatic voter  
10 registration on the earlier of January 1, 2024, or five days after  
11 the date of certification by the secretary of state that the  
12 information technology infrastructure to substantially implement  
13 the provisions of Section 13.010 and Chapter 20, Election Code, at  
14 the agency is functional.

15           SECTION 38. The changes in law made by this Act apply only  
16 to an election ordered on or after September 1, 2021.

17           SECTION 39. This Act takes effect September 1, 2021.