

Suspending limitations on conference committee  
jurisdiction, S.B. No. 7 (Hughes/Cain)

By: Hughes

S.R. No. 547

R E S O L U T I O N

1 BE IT RESOLVED by the Senate of the State of Texas, 87th  
2 Legislature, Regular Session 2021, That Senate Rule 12.03 be  
3 suspended in part as provided by Senate Rule 12.08 to enable the  
4 conference committee appointed to resolve the differences on Senate  
5 Bill 7 (election integrity and security, including by preventing  
6 fraud in the conduct of elections in this state; increasing  
7 criminal penalties; creating criminal offenses; providing civil  
8 penalties) to consider and take action on the following matter:

9 (1) Senate Rule 12.03(4) is suspended to permit the  
10 committee to add text on a matter not included in either the house  
11 or senate version of the bill in proposed SECTION 2.04 of the bill,  
12 by adding amended Section 31.006, Election Code, to read as  
13 follows:

14 Sec. 31.006. REFERRAL [~~OF COMPLAINT~~] TO ATTORNEY GENERAL.  
15 (a) If, after receiving or discovering information indicating that  
16 [~~a complaint alleging~~] criminal conduct in connection with an  
17 election has occurred, the secretary of state determines that there  
18 is reasonable cause to suspect that [~~the alleged~~] criminal conduct  
19 occurred, the secretary shall promptly refer the information  
20 [~~complaint~~] to the attorney general. The secretary shall deliver to  
21 the attorney general all pertinent documents and information in the  
22 secretary's possession.

23 (b) The documents and information submitted under  
24 Subsection (a) are not considered public information until:

1           (1) the secretary of state makes a determination that  
2 the information [~~complaint~~] received does not warrant an  
3 investigation; or

4           (2) if referred to the attorney general, the attorney  
5 general has completed the investigation or has made a determination  
6 that the information [~~complaint~~] referred does not warrant an  
7 investigation.

8           Explanation: The change is necessary to require the  
9 secretary of state to take certain actions upon the receipt or  
10 discovery of information indicating that criminal conduct in  
11 connection with an election has occurred.

12           (2) Senate Rule 12.03(4) is suspended to permit the  
13 committee to add text on a matter not included in either the house  
14 or senate version of the bill in proposed SECTION 2.05 of the bill,  
15 by adding Section 31.019, Election Code, to read as follows:

16           Sec. 31.019. ENFORCEMENT OF VOTER ROLL MAINTENANCE  
17 PROVISIONS. (a) In order to ensure compliance with voter roll  
18 maintenance provisions, the secretary of state shall monitor each  
19 county's list of registered voters to ensure that no county has a  
20 number of registered voters in the county equal to or greater than  
21 the number of people eligible to register to vote in the county.

22           (b) If the secretary of state determines that a county has a  
23 number of registered voters equal to or greater than the number of  
24 people eligible to register to vote in the county, the secretary of  
25 state shall notify the appropriate registrar in writing.

26           (c) Not later than 30 days after receiving notice under  
27 Subsection (b), a registrar must:

1           (1) refute, in writing, that the number of registered  
2 voters is equal to or greater than the number of people eligible to  
3 register to vote in the county and the failure to comply alleged by  
4 the notice; or

5           (2) develop a remediation plan to address failures to  
6 comply with voter roll maintenance provisions and send a copy of the  
7 plan to the secretary of state.

8           (d) If a voter registrar fails to respond to a notice under  
9 Subsection (c), refutes an allegation under Subsection (c)(1), or  
10 fails to comply with a provision of the remediation plan developed  
11 by the registrar under Subsection (c)(2), the secretary of state  
12 shall:

13           (1) require the registrar to attend a training course  
14 developed under Subsection (h);

15           (2) publish notice that the county is undergoing an  
16 audit under this subsection on the secretary of state's Internet  
17 website;

18           (3) audit the voter registration list for the county  
19 in which the registrar serves; and

20           (4) identify voter roll maintenance provisions with  
21 which the registrar is failing to comply and provide a list to the  
22 registrar.

23           (e) If the secretary of state determines that a voter  
24 registrar has not performed any overt actions in pursuance of  
25 compliance with the provisions identified under Subsection (d)(4)  
26 within 14 days of receiving the list under Subsection (d)(4), the  
27 secretary of state shall:

1           (1) withhold distribution of state funds for financing  
2 voter registration to the county until the registrar takes action  
3 in pursuance of compliance; and

4           (2) inform the attorney general that the county which  
5 the registrar serves may be subject to a civil penalty under  
6 Subsection (f).

7           (f) A county is liable to this state for a civil penalty of  
8 \$1,000 for each day after the 14th day following the receipt of a  
9 list under Subsection (d)(4) that the county's voter registrar  
10 fails to take overt action to comply with provisions identified  
11 under that subsection. The attorney general may bring an action to  
12 recover a civil penalty imposed under this section.

13           (g) A civil penalty collected by the attorney general under  
14 this section shall be deposited in the state treasury to the credit  
15 of the general revenue fund.

16           (h) The secretary of state shall develop and implement a  
17 three-hour training course for county clerks and registrars on the  
18 maintenance of voter rolls required and permitted by law.

19           (i) The secretary of state shall adopt rules and prescribe  
20 procedures for the implementation of this section.

21           Explanation: The change is necessary to require the secretary  
22 of state to take certain actions in order to ensure compliance with  
23 voter roll maintenance provisions.

24           (3) Senate Rule 12.03(4) is suspended to permit the  
25 committee to add text on a matter not included in either the house  
26 or senate version of the bill in proposed SECTION 3.05 of the bill,  
27 by adding to amended Section 64.007(c), Election Code, the

1 following:

2 The secretary of state shall create and promulgate a form to  
3 be used for this purpose.

4 Explanation: The change is necessary to require the secretary  
5 of state to create and promulgate a form to be used by an election  
6 officer in maintaining a register of spoiled ballots at the polling  
7 place.

8 (4) Senate Rule 12.03(4) is suspended to permit the  
9 committee to add text on a matter not included in either the house  
10 or senate version of the bill in proposed SECTION 3.07 of the bill,  
11 by adding Section 66.004, Election Code, to read as follows:

12 SECTION 3.07. Subchapter A, Chapter 66, Election Code, is  
13 amended by adding Section 66.004 to read as follows:

14 Sec. 66.004. CLOSING POLLING PLACE. The secretary of state  
15 shall adopt rules and create a checklist or similar guidelines to  
16 assist the presiding judge of a polling place in processing forms  
17 and conducting procedures required by this code at the closing of  
18 the polling place.

19 Explanation: The change is necessary to require the secretary  
20 of state to adopt rules and create a checklist or similar guidelines  
21 to assist in the closing of a polling place.

22 (5) Senate Rule 12.03(1) is suspended to permit the  
23 committee to amend text not in disagreement in proposed SECTION  
24 3.10 of the bill, in amended Section 85.006(e), Election Code, to  
25 read as follows:

26 (e) In a primary election or the general election for state  
27 and county officers in a county with a population of 30,000

1 ~~[100,000]~~ or more, the early voting clerk shall order voting by  
2 personal appearance ~~[voting]~~ at the main early voting polling place  
3 to be conducted on the last Saturday of the early voting period for  
4 at least 12 hours, except that voting may not be conducted earlier  
5 than 6 a.m. or later than 9 p.m., ~~[on the last Saturday]~~ and on the  
6 last Sunday of the early voting period for at least six ~~[five]~~  
7 hours, except that voting may not be conducted earlier than 1 p.m.  
8 or later than 9 p.m. ~~[on the last Sunday of the early voting period]~~.  
9 The early voting clerk shall order voting to be conducted at those  
10 times in those elections in a county with a population under 30,000  
11 ~~[100,000]~~ on receipt of a written request for those hours submitted  
12 by at least 15 registered voters of the county. The request must be  
13 submitted in time to enable compliance with Section 85.007. This  
14 subsection supersedes any provision of this subchapter to the  
15 extent of any conflict.

16 Explanation: The change is necessary to regulate the hours  
17 for voting on a Saturday or Sunday in counties with population of  
18 30,000 or more and certain counties with a population under 30,000.

19 (6) Senate Rule 12.03(1) is suspended to permit the  
20 committee to amend text not in disagreement in proposed SECTION  
21 4.06 of the bill, in added Section 33.063, Election Code, to read as  
22 follows:

23 SECTION 4.06. Subchapter C, Chapter 33, Election Code, is  
24 amended by adding Section 33.063 to read as follows:

25 Sec. 33.063. RELIEF. (a) A watcher, or the appointing  
26 authority for a watcher, who believes that the watcher was  
27 unlawfully prevented or obstructed from the performance of the

1 watcher's duties may seek:

2 (1) injunctive relief under Section 273.081,  
3 including issuance of temporary orders;

4 (2) a writ of mandamus under Section 161.009 or  
5 273.061; and

6 (3) any other remedy available under law.

7 (b) The relief provided by this section is available to a  
8 state inspector appointed under Chapter 34 or any other election  
9 inspector authorized by law.

10 Explanation: The change is necessary to provide relief for a  
11 watcher, the appointing authority for a watcher, or any election  
12 inspector authorized by law, who believes that they were unlawfully  
13 prevented or obstructed from the performance of their duties.

14 (7) Senate Rule 12.03(4) is suspended to permit the  
15 committee to add text on a matter not included in either the house  
16 or senate version of the bill in proposed SECTION 4.16 of the bill,  
17 by adding Section 127.131(f), Election Code, to read as follows:

18 SECTION 4.16. Section 127.131, Election Code, is amended by  
19 adding Subsection (f) to read as follows:

20 (f) The presiding judge of the central counting station  
21 shall provide and attest to a written reconciliation of votes and  
22 voters at the close of tabulation for election day and again after  
23 the central counting station meets for the last time to process  
24 late-arriving ballots by mail and provisional ballots. The  
25 secretary of state shall create and promulgate rules and a form to  
26 facilitate compliance with this subsection. The form shall be  
27 posted on a website maintained by the county along with election

1 returns and results.

2 Explanation: The change is necessary to regulate the duties  
3 of the presiding judge of the central counting station and the  
4 secretary of state regarding the preparing of election returns.

5 (8) Senate Rule 12.03(4) is suspended to permit the  
6 committee to add text on a matter not included in either the house  
7 or senate version of the bill in proposed SECTION 5.01 of the bill,  
8 by adding amended Section 82.002, Election Code, to read as  
9 follows:

10 ARTICLE 5. VOTING BY MAIL

11 SECTION 5.01. Section 82.002, Election Code, is amended to  
12 read as follows:

13 Sec. 82.002. DISABILITY. (a) A qualified voter is eligible  
14 for early voting by mail if the voter is not capable of [~~has a~~  
15 ~~sickness or physical condition that prevents the voter from~~]  
16 appearing at the polling place on election day without [~~a~~  
17 ~~likelihood of~~] needing personal assistance or [~~of~~] injuring the  
18 voter's health due to the voter's:

19 (1) illness;

20 (2) injury;

21 (3) medical confinement ordered by a health care  
22 professional; or

23 (4) mental or physical disability.

24 (b) The following do not constitute [~~Expected or likely~~  
25 ~~confinement for childbirth on election day is~~] sufficient cause to  
26 entitle a voter to vote under Subsection (a):

27 (1) a lack of transportation;



1           (2) an illness, injury, or disability that does not  
2 prevent the voter from appearing at the polling place on election  
3 day without a likelihood of needing personal assistance or of  
4 injuring the voter's health; or

5           (3) a requirement to appear at the voter's place of  
6 employment on election day.

7           (c) An application for a ballot to be voted by mail on the  
8 ground of disability must require the applicant to specifically  
9 select the grounds on which the voter is eligible under Subsection  
10 (a).

11           Explanation: The change is necessary to regulate qualified  
12 voters eligible for early voting by mail on the grounds of  
13 disability.

14           (9) Senate Rule 12.03(4) is suspended to permit the  
15 committee to add text on a matter not included in either the house  
16 or senate version of the bill in proposed SECTION 5.02 of the bill,  
17 by adding amended Section 84.001(b), Election Code, to read as  
18 follows:

19           (b) An application must be submitted in writing and signed  
20 by the applicant using ink on paper. An electronic signature or  
21 photocopied signature is not permitted.

22           Explanation: The change is necessary to regulate the manner  
23 in which an application for an early voting ballot to be voted by  
24 mail may be submitted and signed.

25           (10) Senate Rule 12.03(4) is suspended to permit the  
26 committee to add text on a matter not included in either the house  
27 or senate version of the bill in proposed SECTION 5.03 of the bill,

1 by adding amended Section 84.002(a), Election Code, and Section  
2 84.002(c) to read as follows:

3 SECTION 5.03. Section 84.002, Election Code, is amended by  
4 amending Subsection (a) and adding Subsection (c) to read as  
5 follows:

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

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

9 (1-a) the following information:

10 (A) the number of the applicant's driver's  
11 license or personal identification card issued by the Department of  
12 Public Safety;

13 (B) if the applicant has not been issued a number  
14 described by Paragraph (A), the last four digits of the applicant's  
15 social security number; or

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

19 (2) for an application for a ballot to be voted by mail  
20 on the ground of absence from the county of residence, the address  
21 outside the applicant's county of residence to which the ballot is  
22 to be mailed;

23 (3) for an application for a ballot to be voted by mail  
24 on the ground of age or disability:

25 (A) [7] the address of the hospital, nursing home  
26 or other long-term care facility, or retirement center, or of a  
27 person related to the applicant within the second degree by

1 affinity or the third degree by consanguinity, as determined under  
2 Chapter 573, Government Code, if the applicant is living at that  
3 address and that address is different from the address at which the  
4 applicant is registered to vote; and

5 (B) if applicable, the selected specific grounds  
6 on which the voter is eligible for a ballot to be voted by mail on  
7 the ground of disability, as required by Section 82.002(c);

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

12 (5) for an application for a ballot to be voted by mail  
13 on any ground, an indication of each election for which the  
14 applicant is applying for a ballot; and

15 (6) an indication of the ground of eligibility for  
16 early voting.

17 (c) A person may use the number of a driver's license or  
18 personal identification card that has expired for the purpose of  
19 fulfilling the requirement under Subsection (a)(1-a) if the license  
20 or identification is otherwise valid.

21 Explanation: The change is necessary to regulate the content  
22 of an application for an early voting ballot.

23 (11) Senate Rule 12.03(1) is suspended to permit the  
24 committee to amend text not in disagreement in proposed SECTION  
25 5.04 of the bill, in amended Section 84.011(a), Election Code, by  
26 amending Section 84.011(a)(1) and adding Section 84.011(a)(3-a),  
27 to read as follows:

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

5           (3-a) a space for entering the information required  
6 under Section 84.002(a)(1-a); and

7           Explanation: The change is necessary to regulate the  
8 contents of the officially prescribed application form for an early  
9 voting ballot.

10          (12) Senate Rule 12.03(4) is suspended to permit the  
11 committee to add text on a matter not included in either the house  
12 or senate version of the bill in proposed SECTION 5.06 of the bill,  
13 by adding Section 86.001(f), Election Code, to read as follows:

14          (f) If the information required under Section  
15 84.002(a)(1-a) included on the application does not match the  
16 information on the applicant's application for voter registration  
17 under Section 13.002(c)(8), the clerk shall reject the application.

18          Explanation: The change is necessary to require an early  
19 voting clerk to reject an application for a ballot to be voted by  
20 mail if certain information included in the application does not  
21 match the information on the applicant's application for voter  
22 registration.

23          (13) Senate Rule 12.03(4) is suspended to permit the  
24 committee to add text on a matter not included in either the house  
25 or senate version of the bill in proposed SECTION 5.07 of the bill,  
26 by adding Sections 86.002(g), (h), and (i), Election Code, to read  
27 as follows:

1       (g) The carrier envelope must include a space that is hidden  
2 from view when the envelope is sealed for the voter to enter the  
3 following information:

4           (1) the number of the voter's driver's license or  
5 personal identification card issued by the Department of Public  
6 Safety;

7           (2) if the voter has not been issued a number described  
8 by Subdivision (1), the last four digits of the voter's social  
9 security number; or

10          (3) a statement by the applicant that the applicant  
11 has not been issued a number described by Subdivision (1) or (2).

12          (h) A person may use the number of a driver's license or  
13 personal identification card that has expired for purposes of  
14 Subsection (g) if the license or identification is otherwise valid.

15          (i) No record associating an individual voter with a ballot  
16 may be created.

17           Explanation: The change is necessary to regulate the  
18 contents of the carrier envelope for a ballot to be voted by mail.

19           (14) Senate Rule 12.03(4) is suspended to permit the  
20 committee to add text on a matter not included in either the house  
21 or senate version of the bill in proposed SECTION 5.15 of the bill,  
22 by adding Sections 87.128, Election Code, to read as follows:

23           Sec. 87.128. NOTES. Each member of an early voting ballot  
24 board and each member of a signature verification committee is  
25 entitled to take and keep any notes reasonably necessary to perform  
26 the member's duties under this chapter.

27           Explanation: The change is necessary to provide that members

1 of early voting ballot boards and of signature verification  
2 committees may take and keep certain notes.

3 (15) Senate Rule 12.03(4) is suspended to permit the  
4 committee to add text on a matter not included in either the house  
5 or senate version of the bill in proposed SECTION 8.04 of the bill,  
6 by amending Sections 232.008(b), (c), and (d), Election Code, to  
7 read as follows:

8 (b) Except as provided by Subsection (c), a contestant must  
9 file the petition not later than the later of the 45th [~~30th~~] day  
10 after the date the election records are publicly available under  
11 Section 1.012 or the official result of the contested election is  
12 determined.

13 (c) A contestant must file the petition not later than the  
14 later of the 15th [~~10th~~] day after the date the election records are  
15 publicly available under Section 1.012 or the official result is  
16 determined in a contest of:

- 17 (1) a primary or runoff primary election; or  
18 (2) a general or special election for which a runoff is  
19 necessary according to the official result or will be necessary if  
20 the contestant prevails.

21 (d) A contestant must deliver, electronically or otherwise,  
22 a copy of the petition to the secretary of state by the same  
23 deadline prescribed for the filing of the petition.

24 Explanation: The change is necessary to regulate the filing  
25 and delivery of a petition in an election contest.

26 (16) Senate Rule 12.03(4) is suspended to permit the  
27 committee to add text on a matter not included in either the house

1 or senate version of the bill in proposed SECTION 8.04 of the bill,  
2 by adding Section 232.063, Election Code, to read as follows:

3 Sec. 232.063. OVERTURNING ELECTION. If the number of votes  
4 illegally cast in the election is equal to or greater than the  
5 number of votes necessary to change the outcome of an election, the  
6 court may declare the election void without attempting to determine  
7 how individual voters voted.

8 Explanation: The change is necessary to provide certain  
9 circumstances in which a court may declare an election void.

10 (17) Senate Rule 12.03(4) is suspended to permit the  
11 committee to add text on a matter not included in either the house  
12 or senate version of the bill in proposed SECTION 8.06 of the bill,  
13 by amending Section 273.061, Election Code, to read as follows:

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

20 (b) The court of criminal appeals may issue a writ of  
21 mandamus to compel the performance of any duty imposed by law in  
22 connection with the provision, sequestration, transfer, or  
23 impoundment of evidence in or records relating to a criminal  
24 investigation conducted under this code or conducted in connection  
25 with the conduct of an election or political party convention. If a  
26 writ of mandamus is issued under this subsection, it shall include  
27 an order requiring the provision, sequestration, transfer, or

1 impoundment of the evidence or record.

2 Explanation: The change is necessary to permit the court of  
3 criminal appeals to issue writs of mandamus to compel the  
4 performance of certain duties relating to elections.

5 (18) Senate Rule 12.03(4) is suspended to permit the  
6 committee to add text on a matter not included in either the house  
7 or senate version of the bill in proposed SECTION 8.09 of the bill,  
8 by adding Sections 23.301(c), (d), and (e), Government Code, to  
9 read as follows:

10 (c) Notwithstanding any other law or rule, a proceeding  
11 entitled to priority under Section 23.101(b-1) relating to a  
12 temporary injunction shall have a court assigned under Subsection  
13 (b) not later than 24 hours after the proceeding is filed and, if a  
14 temporary injunction is granted, the injunction may not remain in  
15 effect for longer than four days.

16 (d) A person, including a public official, commits an  
17 offense if the person communicates with a county or district clerk  
18 with the intention of influencing or attempting to influence the  
19 court or judge assigned to a proceeding under this section.

20 (e) An offense under this section is a Class A misdemeanor,  
21 except that the offense is a state jail felony if it is shown on the  
22 trial of the offense that the person committed the offense while  
23 acting in the person's official capacity as an election official.

24 Explanation: The change is necessary to regulate the  
25 assignment of certain election proceedings and describe the conduct  
26 constituting an offense under Section 23.301, Government Code, as  
27 well as the punishment for that offense.



1 (19) Senate Rule 12.03(4) is suspended to permit the  
2 committee to add text on a matter not included in either the house  
3 or senate version of the bill in proposed SECTION 8.09 of the bill,  
4 by adding Section 23.302, Government Code, to read as follows:

5 Sec. 23.302. DEADLINES IN CERTAIN ELECTION PROCEEDINGS.

6 (a) Not later than 24 hours after the proceeding is filed, a judge  
7 to whom a case is assigned under Section 23.301(b) who wishes to be  
8 recused from the proceeding must, before recusal:

9 (1) hear an application for any emergency temporary  
10 relief sought;

11 (2) grant or deny any emergency temporary relief  
12 sought; and

13 (3) set a scheduling order that provides:

14 (A) a date for a hearing on any injunction sought  
15 not later than five days after the date on which the proceeding was  
16 filed; and

17 (B) discovery and deposition deadlines before  
18 the expiration of any emergency relief order entered.

19 (b) The presiding judge of an administrative region shall  
20 assign a new judge to a proceeding assigned under Section 23.301(b)  
21 not later than 12 hours after the original judge assigned to the  
22 proceeding is recused under Subsection (a).

23 (c) A final order in a proceeding filed under Section  
24 273.081, Election Code, shall be submitted in writing to the  
25 parties not later than 24 hours after the judge makes a final  
26 determination in the proceeding.

27 (d) If a district judge does not comply with this section, a

1 person may seek from the supreme court, the court of criminal  
2 appeals, or a court of appeals a writ of mandamus as provided by  
3 Section 273.061, Election Code, to compel compliance with this  
4 section.

5 (e) Notwithstanding Section 23.101(b-1), a proceeding  
6 relating to a permanent injunction being sought in connection to a  
7 challenge under Section 141.034, Election Code, may be heard after  
8 the primary election has been canvassed.

9 Explanation: The change is necessary to provide for deadlines  
10 in certain election proceedings.

11 (20) Senate Rule 12.03(4) is suspended to permit the  
12 committee to add text on a matter not included in either the house  
13 or senate version of the bill in proposed SECTION 9.02 of the bill,  
14 by adding amended Article 42.01, Code of Criminal Procedure, to  
15 read as follows:

16 Sec. 4. The Court of Criminal Appeals [~~Office of Court~~  
17 ~~Administration of the Texas Judicial System~~] shall promulgate a  
18 standardized felony judgment form that conforms to the requirements  
19 of Section 1 of this article. A court entering a felony judgment  
20 [~~judgement~~] shall use the form promulgated under this section.

21 Sec. 16. In addition to the information described by  
22 Section 1, the judgment should reflect the affirmative finding and  
23 instruction entered pursuant to Article 42.0194.

24 Explanation: The change is necessary to require the Court of  
25 Criminal Appeals to promulgate a standardized felony judgment  
26 form including certain information entered pursuant to Article  
27 42.0194, Code of Criminal Procedure.

1           (21) Senate Rule 12.03(4) is suspended to permit the  
2 committee to add text on a matter not included in either the house  
3 or senate version of the bill in proposed SECTION 11.03(d) of the  
4 bill, in the transition language, to read as follows:

5           (d) The changes in law made by this Act apply only to an  
6 application to vote an early voting ballot by mail submitted on or  
7 after the effective date of this Act. An application to vote an  
8 early voting ballot by mail submitted before the effective date of  
9 this Act is governed by the law in effect when the application was  
10 submitted, and the former law is continued in effect for that  
11 purpose.

12           Explanation: The change is necessary to ensure that any  
13 change in law made by the Act applies only to an application to vote  
14 an early voting ballot by mail submitted on or after the effective  
15 date of the Act.

16           (22) Senate Rule 12.03(4) is suspended to permit the  
17 committee to add text on a matter not included in either the house  
18 or senate version of the bill in proposed SECTION 11.04 of the bill,  
19 in the transition language, to read as follows:

20           SECTION 11.04. Not later than January 1, 2022, the  
21 secretary of state shall develop the training course required by  
22 Section 31.019, Election Code, as added by this Act.

23           Explanation: The change is necessary to require the secretary  
24 of state to develop the training course required by added Section  
25 31.019, Election Code, before January 1, 2022.

26           (23) Senate Rule 12.03(1) is suspended to permit the  
27 committee to amend text not in disagreement in proposed SECTION

1 11.06 of the bill, providing for an effective, to read as follows:

2       SECTION 11.06. This Act takes effect immediately if it  
3 receives a vote of two-thirds of all the members elected to each  
4 house, as provided by Section 39, Article III, Texas Constitution.  
5 If this Act does not receive the vote necessary for immediate  
6 effect, this Act takes effect September 1, 2021.

7       Explanation: The change is necessary to allow the provisions  
8 of the Act to take effect immediately if the measure receives a vote  
9 of two-thirds of all the members elected to each house.