

BILL ANALYSIS

Senate Research Center
88R7679 MLH-D

H.B. 1299
By: Noble (Paxton)
State Affairs
5/17/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1299 provides clarity in the Election Code that a carrier envelope for a ballot by mail must have an ink-on-paper signature. It also creates a criminal offense if an electronic signature or photocopied signature is used.

We want to make every effort to ensure our elections reflect the will of voters. By clarifying that an ink-on-paper signature is required we take one more step toward ensuring the voter is truly the person casting the ballot. Requiring this measure will also assist the Early Voting Ballot Board or Signature Verification Committee in completing their task of comparing the signatures of the voter requesting the ballot by mail with the carrier envelope returned by the voter. This provision does not relate to someone, who under current law is allowed to assist a voter, from doing so.

H.B. 1299 amends current law relating to the signature required on a carrier envelope for a ballot voted by mail and changes the elements of a criminal offense.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 86.005(c), Election Code, as follows:

(c) Requires the voter, after marking the ballot, to place a ballot in the official ballot envelope and then seal the ballot envelope, place the ballot envelope in the official carrier envelope and then seal the carrier envelope, and sign the certificate on the carrier envelope using ink on paper. Provides that an electronic signature or photocopied signature is not permitted.

SECTION 2. Amends Section 86.0051(b), Election Code, as follows:

(b) Requires the person to sign the envelope using ink on paper. Provides that an electronic signature or photocopied signature is not permitted.

SECTION 3. Effective date: September 1, 2023.