

BILL ANALYSIS

Senate Research Center

S.B. 477
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State Affairs
3/24/2023
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law allows accommodations for voters with disabilities, including prioritizing those with mobility impairments at polling locations and providing curbside voting. These accommodations, however, should be uniform across all polling locations to prevent inconsistent accessibility and potential discrimination.

S.B. 477 would require that voters with motor disabilities be given priority to cast their ballots before others and that notice of this priority be posted at each polling place entrance. It also would require the designation of two parking spots for curbside voting at each polling place and require the county clerk's website to include information about procedures and accommodations available for persons with disabilities and an official application form for early voting ballots. These changes would improve accessibility for voters with disabilities.

As proposed, S.B. 477 amends current law relating to accommodating voters with a disability.

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 63.0015, Election Code, by amending Subsections (b), (c), and (d) and adding Subsection (f), as follows:

(b) Requires, rather than authorizes, an election officer to accept a person with a mobility problem that substantially impairs a person's ability to ambulate who is offering to vote before accepting others offering to vote at the polling place who arrived before the person.

(c) Requires that notice of the priority given to persons with a mobility problem that substantially impairs a person's ability to ambulate be posted at certain locations, including each entrance to a polling place, rather than one or more locations in each polling place, where it can be read by persons waiting to vote.

(d) Makes a conforming change to this subsection.

(f) Requires that all procedures and accommodations available for voters with disabilities, including voting under Section 64.009 (Voter Unable to Enter Polling Place), be posted in an accessible manner on the county clerk's Internet website.

SECTION 2. Amends Section 64.009, Election Code, by adding Subsection (a-1), as follows:

(a-1) Requires that two parking spaces at each polling place be reserved for voting under this section. Provides that the spaces may not be parking spaces designated specifically for persons with disabilities. Requires that the parking spaces be clearly marked with a sign as being for use by a voter who is unable to enter the polling place. Requires that the

sign have a telephone number that a voter may call or text to request assistance from election officials at the polling place.

SECTION 3. Amends Subchapter A, Chapter 84, Election Code, by adding Section 84.0121, as follows:

Sec. 84.0121. CLERK TO POST APPLICATION FORM ONLINE. (a) Requires the early voting clerk to post the official application form for an early voting ballot on the clerk's Internet website in a format that allows a person to easily complete the application directly on the website before printing.

(b) Authorizes the early voting clerk to use the application form provided by the secretary of state (SOS) under Section 84.013 or the early voting clerk's own application form.

SECTION 4. Amends Section 84.013, Election Code, as follows:

Sec. 84.013. APPLICATION FORMS FURNISHED BY SECRETARY OF STATE. (a) Creates this subsection from existing text.

(b) Requires SOS to provide a printable application for a ballot by mail in a format that complies with Section 84.0121(a) to the early voting clerk for use under that section.

SECTION 5. Amends Section 104.004(e), Election Code, as follows:

(e) Requires the clerk, if the voter is physically unable to enter the early voting polling place without personal assistance or a likelihood of injuring the voter's health, to deliver the balloting materials to the voter at the polling place entrance or curb following the procedures prescribed by Section 64.009.

SECTION 6. Effective date: upon passage or September 1, 2023.