88R8323 MLH-D

By:  Hall S.B. No. 1338

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain persons to vote early by mail.

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

SECTION 1.  Section 82.003, Election Code, is repealed.

SECTION 2.  Section 84.002(a), Election Code, is amended to read as follows:

(a)  An early voting ballot application must include:

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

(1-a)  the following information:

(A)  the number of the applicant's driver's license, election identification certificate, or personal identification card issued by the Department of Public Safety;

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

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

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

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

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

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

(6)  an indication of the ground of eligibility for early voting; and

(7)  for an application for a ballot to be voted by mail on the ground of involuntary civil commitment, the address of the facility operated by or under contract with the Texas Civil Commitment Office or of a person related to the applicant within the degree of consanguinity described by Subdivision (3).

SECTION 3.  Section 84.011(a), Election Code, is amended to read as follows:

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

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

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

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

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

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

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

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

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

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

(E)  a space or box for an applicant applying on the ground of confinement in jail or involuntary civil commitment to indicate that the address to which the ballot is to be mailed is the address of a relative described by Section 84.002(a)(4) or (7), if applicable;

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

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

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

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

SECTION 4.  Section 86.0015(a), Election Code, is amended to read as follows:

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

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

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

SECTION 5.  Section 86.003(c), Election Code, is amended to read as follows:

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

(1)  absence from the county of residence, in which case the address must be an address outside the voter's county of residence;

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

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

(4)  involuntary civil commitment, in which case the address must be the address of the facility or of a relative described by Section 84.002(a)(7).

SECTION 6.   This Act takes effect September 1, 2023.