

By: Zwiener

H.B. No. 2430

A BILL TO BE ENTITLED

AN ACT

Relating to the ability of a volunteer deputy registrar to distribute and receive applications for a ballot to be voted by mail.

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

SECTION 1. Section 13.038, Election Code, is amended to read as follows:

Sec. 13.038. POWERS GENERALLY. (a) A volunteer deputy registrar may distribute voter registration application forms throughout the county and receive registration applications submitted to the deputy in person.

(b) A volunteer deputy registrar may distribute application forms for a ballot to be voted by mail throughout the county and receive applications for a ballot to be voted by mail submitted to the deputy in person as provided by Subchapter C, Chapter 84.

SECTION 2. Section 84.007(b), Election Code, is amended to read as follows:

(b) An application must be submitted to the early voting clerk by:

(1) mail;

(2) common or contract carrier;

(2-a) a volunteer deputy registrar, subsequent to a delivery made to the volunteer deputy registrar under Subchapter C;

(3) subject to Subsection (b-1), telephonic facsimile

1 machine, if a machine is available in the clerk's office; or

2 (4) subject to Subsection (b-1), electronic
3 transmission of a scanned application containing an original
4 signature.

5 SECTION 3. Chapter 84, Election Code, is amended by adding
6 Subchapter C to read as follows:

7 SUBCHAPTER C. VOLUNTEER DEPUTY REGISTRARS

8 Sec. 84.051. APPLICATION FORMS FURNISHED BY VOLUNTEER
9 DEPUTY REGISTRAR. (a) A volunteer deputy registrar may maintain a
10 supply of official application forms for a ballot to be voted by
11 mail and shall furnish the forms to voters throughout the county in
12 a manner consistent with law.

13 (b) A voter may submit an application for a ballot to be
14 voted by mail by delivering the application to a volunteer deputy
15 registrar.

16 (c) To the extent practicable, the procedure under this
17 section for distributing applications for a ballot to be vote by
18 mail and delivering applications shall be the same as the procedure
19 for delivering a registration application under Subchapter B,
20 Chapter 13.

21 Sec. 84.052. DELIVERY OF APPLICATION TO EARLY VOTING CLERK.

22 (a) A volunteer deputy registrar shall deliver in person, or by
23 personal delivery through another designated volunteer deputy, to
24 the early voting clerk each completed application for a ballot to be
25 voted by mail submitted to the deputy, as provided by this section.
26 The secretary of state shall prescribe any procedures necessary to
27 ensure the proper and timely delivery of completed applications

1 that are not delivered in person by the volunteer deputy who
2 receives them.

3 (b) Except as provided by Subsection (c), an application
4 shall be delivered to the early voting clerk not later than 5 p.m.
5 of the fifth day after the date the application is submitted to the
6 volunteer deputy registrar.

7 (c) An application submitted after the 15th day before the
8 date of an election and on or before the last day for a person to
9 timely submit an application for a ballot to be voted by mail for
10 that election as provided by Section 84.007 shall be delivered to
11 the early voting clerk not later than 5 p.m. of the next regular
12 business day after the date to timely submit an application for a
13 ballot to be voted by mail for that election as provided by Section
14 13.143.

15 Sec. 84.053. FAILURE TO DELIVER APPLICATION. (a) A
16 volunteer deputy registrar commits an offense if the deputy fails
17 to comply with Section 84.052.

18 (b) Except as provided by Subsection (c), an offense under
19 this section is a Class C misdemeanor.

20 (c) An offense under this section is a Class A misdemeanor
21 if the deputy's failure to comply is intentional.

22 SECTION 4. This Act takes effect September 1, 2023.