

By: Bucy

H.B. No. 3748

A BILL TO BE ENTITLED

AN ACT

relating to ensuring access to the right to vote by all eligible voters.

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

ARTICLE 1. REGISTRATION OF VOTERS

SECTION 1.01. Section 11.002(a), Election Code, is amended to read as follows:

(a) In this code, "qualified voter" means a person who:

(1) is 18 years of age or older;

(2) is a United States citizen;

(3) has not been determined by a final judgment of a court exercising probate jurisdiction to be:

(A) totally mentally incapacitated; or

(B) partially mentally incapacitated without the right to vote;

(4) has not been finally convicted of a felony or, if so convicted, is not currently incarcerated for that offense ~~has:~~

~~[(A) fully discharged the person's sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court; or~~

~~[(B) been pardoned or otherwise released from the resulting disability to vote];~~

(5) is a resident of this state; and

(6) is a registered voter.

1 SECTION 1.02. Subchapter A, Chapter 12, Election Code, is
2 amended by adding Section 12.007 to read as follows:

3 Sec. 12.007. CERTAIN ELECTION OFFICERS ARE VOTER
4 REGISTRARS. The registrar shall appoint at least one election
5 officer serving each polling place for early voting by personal
6 appearance or on election day as a regular deputy registrar.

7 SECTION 1.03. Subchapter A, Chapter 13, Election Code, is
8 amended by adding Section 13.009 to read as follows:

9 Sec. 13.009. ELECTRONIC VOTER REGISTRATION. (a) The
10 secretary of state shall work with the Department of Public Safety
11 and the Department of Information Resources to implement a program
12 to allow a person to complete a voter registration application over
13 the Internet from the official website of this state. The Internet
14 websites of the secretary of state, the Department of Public
15 Safety, and each voter registration agency under Section 20.001(a)
16 must also provide a link to the location of the application on the
17 official website of this state.

18 (b) An applicant for electronic voter registration who has
19 an unexpired driver's license or personal identification card
20 issued in this state must:

21 (1) attest to the truth of the information provided on
22 the application by affirmatively accepting the information as true;
23 and

24 (2) affirmatively consent to the use of the signature
25 on the applicant's driver's license or personal identification card
26 for voter registration purposes.

27 (c) An applicant for electronic voter registration who does

1 not have an unexpired driver's license or personal identification
2 card issued in this state must:

3 (1) attest to the truth of the information provided on
4 the application by affirmatively accepting the information as true;
5 and

6 (2) digitally sign the applicant's application before
7 submitting it electronically.

8 (d) For each application submitted under Subsection (b),
9 the program shall require that a digital copy of the applicant's
10 signature be obtained from the Department of Public Safety.

11 (e) A digital signature given as provided by secretary of
12 state rule meets the signature requirement under Section 13.002(b).
13 An application submitted under this section is considered for all
14 purposes an application submitted by mail under this title.

15 (f) The secretary of state shall adopt rules as necessary to
16 implement this section, including rules to provide for additional
17 security measures necessary to ensure the accuracy and integrity of
18 applications submitted electronically.

19 (g) The rules adopted under Subsection (f) must require
20 that:

21 (1) the Internet website through which a person may
22 complete a voter registration application include a description of
23 the offense described by Section 13.007 in a conspicuous location
24 on the website near the place where the person begins or submits the
25 application; and

26 (2) the state electronic Internet portal project be
27 used to authenticate the identity and address of a person who

1 submits an application electronically under this section.

2 SECTION 1.04. Subchapter A, Chapter 13, Election Code, is
3 amended by adding Sections 13.010 and 13.011 to read as follows:

4 Sec. 13.010. VOTER REGISTRATION THROUGH DEPARTMENT OF
5 PUBLIC SAFETY. (a) The voter registrar of each county shall
6 automatically register any county resident who is eligible to vote
7 as provided by Section 13.001 and:

8 (1) is issued a Texas driver's license or a personal
9 identification card by the Department of Public Safety; or

10 (2) makes a change to a Texas driver's license or
11 personal identification card issued by the Department of Public
12 Safety.

13 (b) A driver's license or personal identification card
14 transaction with an indication provided by Section 20.062(b) or
15 20.063(c) that the transaction is not for voter registration
16 purposes is not subject to this section.

17 Sec. 13.011. VOTER REGISTRATION THROUGH CERTAIN VOTER
18 REGISTRATION AGENCIES. (a) The voter registrar of each county
19 shall automatically register any county resident who is eligible to
20 vote as provided by Section 13.001 and applies for services from a
21 voter registration agency under Subchapter B, Chapter 20.

22 (b) An application for services is not subject to this
23 section if the application is accompanied by:

24 (1) an indication under Section 20.002(b) that the
25 transaction is not for voter registration; or

26 (2) a declination form under Section 20.036.

27 (c) The secretary of state shall prescribe procedures for

1 the implementation of this section.

2 SECTION 1.05. Section 13.031, Election Code, is amended by
3 adding Subsection (f) to read as follows:

4 (f) A volunteer deputy registrar appointed under this
5 section may serve as a volunteer deputy registrar throughout the
6 state regardless of which county appointed the deputy registrar.
7 The secretary of state shall prescribe procedures to implement this
8 subsection.

9 SECTION 1.06. Section 13.033(b), Election Code, is amended
10 to read as follows:

11 (b) If a person is to be appointed, the registrar shall
12 prepare a certificate of appointment in duplicate containing:

- 13 (1) the date of appointment;
- 14 (2) the statement: "I, _____, Voter Registrar
15 for _____ County, do hereby appoint _____ as a
16 volunteer deputy registrar [~~for _____ County~~].";
- 17 (3) the person's residence address;
- 18 (4) the person's voter registration number, if any;
- 19 (5) a statement that the term of the appointment
20 expires December 31 of an even-numbered year; and
- 21 (6) a statement that the appointment terminates on the
22 person's final conviction for an offense for failure to deliver a
23 registration application and may terminate on the registrar's
24 determination that the person failed to adequately review a
25 registration application, intentionally destroyed or physically
26 altered a registration application, or engaged in any other
27 activity that conflicts with the responsibilities of a volunteer

1 deputy registrar under this chapter.

2 SECTION 1.07. Section 13.037(a), Election Code, is amended
3 to read as follows:

4 (a) A person may not receive compensation from any ~~[the]~~
5 county for service as a volunteer deputy registrar unless
6 compensation is authorized by the commissioners court of that
7 county.

8 SECTION 1.08. Section 13.038, Election Code, is amended to
9 read as follows:

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

14 (b) A volunteer deputy registrar may distribute a voter
15 registration application in the form prescribed by the secretary of
16 state under Section 31.002 throughout the state and receive an
17 application in that form submitted to the deputy in person,
18 regardless of the county in which the application was printed.

19 (c) The secretary of state shall prescribe procedures to
20 implement this section.

21 SECTION 1.09. Section 13.046(h), Election Code, is amended
22 to read as follows:

23 (h) The secretary of state shall:

24 (1) consult with the Texas Education Agency regarding
25 the number of registration application forms to provide to each
26 high school;

27 (2) provide to each high school registration

1 application forms once each fall and spring semester in the number
2 determined from the consultation under Subdivision (1); and

3 (3) prescribe any additional procedures necessary to
4 implement this section.

5 SECTION 1.10. Section 20.001(a), Election Code, is amended
6 to read as follows:

7 (a) The following state agencies are designated as voter
8 registration agencies:

- 9 (1) Health and Human Services Commission;
- 10 (2) Department of Aging and Disability Services;
- 11 (3) Department of Assistive and Rehabilitative
12 Services;
- 13 (4) Department of State Health Services; ~~and~~
- 14 (5) Texas Workforce Commission; and
- 15 (6) any other agency or program as determined by the
16 secretary of state that primarily provides:

17 (A) public assistance; or

18 (B) services to persons with disabilities.

19 SECTION 1.11. Section 20.002, Election Code, is amended to
20 read as follows:

21 Sec. 20.002. AGENCY-PRESCRIBED REGISTRATION APPLICATION
22 FORM. (a) A voter registration agency under this subchapter shall
23 prescribe and use a form and procedure that combines a form for
24 services from that agency with an officially prescribed voter
25 registration application form.

26 (b) A voter registration agency under this subchapter shall
27 prescribe and use a form and procedure that requests a person's

1 address and that combines agency and voter registration functions.
2 The form must allow a person to indicate that a change of address is
3 not for voter registration purposes.

4 (c) The design, content, and physical characteristics of
5 the agency forms must be [~~Instead of using the official voter~~
6 ~~registration application form prescribed by the secretary of state,~~
7 ~~a voter registration agency may use an official form prescribed by~~
8 ~~the agency, if~~] approved by the secretary of state.

9 SECTION 1.12. Section 20.032(a), Election Code, is amended
10 to read as follows:

11 (a) An appropriate agency employee shall [~~routinely~~] inform
12 each person who applies in person for agency services of the
13 opportunity to complete a voter registration application form and
14 [~~on request~~] shall provide nonpartisan voter registration
15 assistance to the applicant.

16 SECTION 1.13. Section 20.061, Election Code, is amended to
17 read as follows:

18 Sec. 20.061. APPLICABILITY OF OTHER PROVISIONS. The other
19 provisions of this chapter apply to the Department of Public Safety
20 except provisions that conflict with this subchapter or Section
21 13.010.

22 SECTION 1.14. Section 20.062(b), Election Code, is amended
23 to read as follows:

24 (b) The department shall prescribe and use a change of
25 address form and procedure that combines department and voter
26 registration functions. The form must allow a licensee or
27 cardholder to indicate that [~~whether~~] the change of address is not

1 ~~[also to be used]~~ for voter registration purposes.

2 SECTION 1.15. Section 20.063, Election Code, is amended to
3 read as follows:

4 Sec. 20.063. REGISTRATION PROCEDURES. (a) The Department
5 of Public Safety shall consider an application made in person, by
6 mail, or online at the department's Internet website ~~[provide to~~
7 ~~each person who applies in person at the department's offices]~~ for
8 an original or renewal of a driver's license, a personal
9 identification card, or a duplicate or corrected license or card by
10 a person who is eligible to vote as provided by Section 13.001 an
11 application for ~~[opportunity to complete a]~~ voter registration.
12 The date of application is considered to be the date of submission
13 to the voter registrar for the purpose of determining the effective
14 date of registration ~~[application form]~~.

15 (b) The Department of Public Safety shall consider a change
16 of address that relates to ~~[When the department processes]~~ a
17 license or card and that is submitted to ~~[for renewal by mail,]~~ the
18 department ~~[shall deliver to the applicant by mail a voter~~
19 ~~registration application form.~~

20 ~~[(c) A change of address that relates to a license or card~~
21 ~~and that is submitted to the department]~~ in person, ~~[or]~~ by mail, or
22 online at the department's Internet website ~~[serves]~~ as a change in
23 ~~[of address for]~~ voter registration ~~[unless the licensee or~~
24 ~~cardholder indicates that the change is not for voter registration~~
25 ~~purposes]~~. The date of submission of a change of address to a
26 department employee is considered to be the date of submission to
27 the voter registrar for the purpose of determining the effective

1 date of registration [~~only~~].

2 (c) The registration of an eligible [~~(d) If a completed~~
 3 voter as required by Subsections (a) and (b) is automatic unless the
 4 person indicates that the transaction is not for voter
 5 registration purposes [~~application submitted to a department~~
 6 ~~employee does not include the applicant's correct driver's license~~
 7 ~~number or personal identification card number, a department~~
 8 ~~employee shall enter the appropriate information on the~~
 9 ~~application. If a completed application does not include the~~
 10 ~~applicant's correct residence address or mailing address, a~~
 11 ~~department employee shall obtain the appropriate information from~~
 12 ~~the applicant and enter the information on the application].~~

13 SECTION 1.16. Section 20.065(b), Election Code, is amended
 14 to read as follows:

15 (b) Each weekday the department is regularly open for
 16 business, the department shall electronically transfer to the
 17 secretary of state the name and information designated by the
 18 secretary of state for [~~of each person who completes a~~] voter
 19 registration for each individual who is eligible to vote as
 20 provided by Section 13.001 and applies in person, by mail, or online
 21 at the department's Internet website for an original or renewal of a
 22 driver's license, a personal identification card, or a duplicate or
 23 corrected license or card [~~application submitted to the~~
 24 ~~department]. The secretary shall prescribe procedures necessary to
 25 implement this subsection.~~

26 SECTION 1.17. Chapter 63, Election Code, is amended by
 27 adding Section 63.010 to read as follows:

1 Sec. 63.010. REGISTRATION AT POLLING PLACE; VOTING
2 PROCEDURES. (a) Other applicable provisions of this code apply to
3 the conduct of voting and to the registration of voters under this
4 section to the extent those provisions do not conflict with this
5 section.

6 (b) A person who would be eligible to vote in an election
7 under Section 11.001, but for the requirement to be a registered
8 voter, shall be accepted for voting at a polling place at which the
9 person would be allowed to vote if registered if, on the day the
10 person offers to vote, the person:

11 (1) submits a voter registration application that
12 complies with Section 13.002 to a voter registrar at the polling
13 place;

14 (2) presents as proof of identification:

15 (A) a Texas driver's license, including a
16 temporary license or instruction permit, or personal
17 identification card issued to the person by the Department of
18 Public Safety that states the person's current address on the day
19 the person seeks to vote; or

20 (B) a utility bill addressed to the person dated
21 not earlier than the 30th day before the date the person seeks to
22 vote, and:

23 (i) a Texas driver's license, including a
24 temporary license or instruction permit, or personal
25 identification card issued to the person by the Department of
26 Public Safety, regardless of whether the address stated on the
27 license or card is current on the day the person seeks to vote;

1 (ii) a United States passport issued to the
2 person; or

3 (iii) a United States military
4 identification card that contains the person's photograph; and

5 (3) executes an affidavit stating that the person:

6 (A) is eligible to vote in the election; and

7 (B) is voting only once in the election.

8 (c) Persons voting under this section shall be processed
9 separately at the polling place from persons who are voting under
10 regular procedures.

11 (d) The secretary of state shall adopt rules to ensure the
12 accountability of election officers and to fairly implement this
13 section.

14 SECTION 1.18. Section 85.031(a), Election Code, is amended
15 to read as follows:

16 (a) For each person entitled to vote an early voting ballot
17 by personal appearance or who is entitled to register at a polling
18 place, the early voting clerk shall follow the procedure for
19 accepting a regular voter on election day, with the modifications
20 necessary for the conduct of early voting.

21 ARTICLE 2. VOTING BY MAIL

22 SECTION 2.01. Section 4.003, Election Code, is amended by
23 amending Subsection (b) and adding Subsection (b-1) to read as
24 follows:

25 (b) In addition to any other notice given for an election
26 under Subsection (a), not later than the 21st day before election
27 day, a county shall post a copy of a notice of the election given by

1 the county or provided to the county under Section 4.008(a) [~~which~~
2 ~~must include the location of each polling place,~~] on the county's
3 Internet website, if the county maintains a website. An authority
4 responsible for giving notice of an election may post a copy of the
5 notice on the bulletin board used for posting notices of the
6 meetings of the governing body of the political subdivision that
7 the authority serves. If a county does not maintain a website, the
8 authority responsible for giving notice of the election shall post
9 a copy of a notice of the election on the bulletin board used for
10 posting notices of the meetings of the governing body of the
11 political subdivision that the authority serves. For each precinct
12 that is combined to form a consolidated precinct under Section
13 42.008, not later than the 10th day before election day, the
14 authority shall also post, at the polling place used in the
15 preceding general election, notice of the precinct's consolidation
16 and the location of the polling place in the consolidated precinct.
17 A notice posted under this subsection must remain posted
18 continuously through election day.

19 (b-1) The notice given under Subsection (b) must include:
20 (1) the location of each polling place that will be
21 open on election day;
22 (2) the location of each polling place that will be
23 open for early voting; and
24 (3) each location that will be available to voters to
25 deliver a marked ballot under Section 86.006(a-5).

26 SECTION 2.02. Section 13.002(e), Election Code, is amended
27 to read as follows:

1 (e) Notwithstanding Section 82.005, a [A] person who is
2 certified for participation in the address confidentiality program
3 administered by the attorney general under Subchapter B, Chapter
4 58, Code of Criminal Procedure, is not eligible for early voting by
5 mail [~~under Section 82.007~~] unless the person submits an
6 application under this section by personal delivery. The secretary
7 of state may adopt rules to implement this subsection.

8 SECTION 2.03. Section 82.005, Election Code, is amended to
9 read as follows:

10 Sec. 82.005. ELIGIBILITY FOR EARLY VOTING [~~BY PERSONAL~~
11 ~~APPEARANCE~~]. Any qualified voter is eligible for early voting by
12 mail or personal appearance.

13 SECTION 2.04. Section 82.007, Election Code, is amended to
14 read as follows:

15 Sec. 82.007. PARTICIPATION IN ADDRESS CONFIDENTIALITY
16 PROGRAM. Notwithstanding Section 82.005, a [A] qualified voter
17 who, [~~is eligible for early voting by mail if:~~

18 [~~(1) the voter submitted a registration application by~~
19 ~~personal delivery as required by Section 13.002(e), and~~

20 [~~(2)~~] at the time the voter's early voting ballot
21 application is submitted, [~~the voter~~] is certified for
22 participation in the address confidentiality program administered
23 by the attorney general under Subchapter B, Chapter 58, Code of
24 Criminal Procedure, is eligible for early voting by mail only if the
25 voter submitted a registration application by personal delivery as
26 required by Section 13.002(e).

27 SECTION 2.05. Section 84.001, Election Code, is amended by

1 amending Subsections (a), (b), (d), and (e) and adding Subsection
2 (e-1) to read as follows:

3 (a) To be entitled to vote an early voting ballot by mail, a
4 person [~~who is eligible for early voting~~] must make an application
5 for an early voting ballot to be voted by mail as provided by this
6 title.

7 (b) Subject to Section 1.011 and except as provided by
8 Section 84.0091, an application must be submitted in writing and
9 signed by the applicant using ink on paper. An electronic signature
10 or photocopied signature is not permitted except as provided by
11 Section 84.0091.

12 (d) An application must be submitted [~~by mail~~] to the early
13 voting clerk for the election who serves the election precinct of
14 the applicant's residence.

15 (e) Except as provided by Subsection (e-1), an application
16 [~~An applicant~~] for a ballot to be voted by mail serves as an
17 application both [~~may apply~~] for a ballot [~~ballots~~] for the main
18 election and for any resulting runoff election [~~on the same~~
19 ~~application~~]. If an application [~~for the main election and any~~
20 ~~resulting runoff~~] is not timely for the main election, it will be
21 considered timely for any resulting runoff if received not later
22 than the deadline, determined using the date of the runoff
23 election, for submitting a regular application for a ballot to be
24 voted by mail.

25 (e-1) An applicant for a ballot to be voted by mail for the
26 main election may request not to receive a ballot for a resulting
27 runoff election.

1 SECTION 2.06. Section 84.002(a), Election Code, is amended
2 to read as follows:

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

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

6 ~~[(1-a) the following information:~~

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

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

13 ~~[(C) a statement by the applicant that the
14 applicant has not been issued a number described by Paragraph (A) or
15 (B).]~~

16 (2) for an application for a ballot to be voted by mail
17 by an applicant who will be absent from the applicant's ~~[on the~~
18 ~~ground of absence from the]~~ county of residence on election day, the
19 address outside the applicant's county of residence to which the
20 ballot is to be mailed or an e-mail address for the applicant to
21 which the ballot is sent by electronic transmission;

22 (3) for an application for a ballot to be voted by mail
23 by an applicant who is 65 years of age or older on election day or
24 has a sickness or physical condition that requires the applicant to
25 reside in a hospital or nursing home or other long-term care
26 facility, or with a relative ~~[on the ground of age or disability],~~
27 the address of the hospital, nursing home or other long-term care

1 facility, or retirement center, or of a person related to the
2 applicant within the second degree by affinity or the third degree
3 by consanguinity, as determined under Chapter 573, Government Code,
4 if the applicant is living at that address and that address is
5 different from the address at which the applicant is registered to
6 vote;

7 (4) for an application for a ballot to be voted by mail
8 by an applicant who is confined [~~on the ground of confinement~~] in
9 jail as described by Section 84.009(a), the address of the jail or
10 of a 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~~
13 ~~mail 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; and~~

17 [~~(7)~~] for an application for a ballot to be voted by
18 mail by an applicant who is civilly committed as a sexually violent
19 predator under Chapter 841, Health and Safety Code, and is ordered
20 as a condition of civil commitment to reside in a facility operated
21 by or under contract with the Texas Civil Commitment Office [~~on the~~
22 ~~ground of involuntary civil commitment~~], the address of the
23 facility operated by or under contract with the Texas Civil
24 Commitment Office or of a person related to the applicant within the
25 degree of consanguinity described by Subdivision (3).

26 SECTION 2.07. Section 84.007(a), Election Code, is amended
27 to read as follows:

1 (a) Except as provided by Sections 84.008, ~~[and]~~ 84.009, and
2 84.0091, an application for a ballot to be voted by mail must be
3 submitted as provided by this section.

4 SECTION 2.08. Section 84.009, Election Code, is amended by
5 amending Subsection (a) and adding Subsection (b) to read as
6 follows:

7 (a) This section applies only to an applicant who, at the
8 time the application for a ballot to be voted by mail is submitted,
9 is confined in jail:

10 (1) serving a misdemeanor sentence for a term that
11 ends on or after election day;

12 (2) pending trial after denial of bail;

13 (3) without bail pending an appeal of a felony
14 conviction; or

15 (4) pending trial or appeal on a bailable offense for
16 which release on bail before election day is unlikely.

17 (b) On request of the applicant, an application for a ballot
18 to be voted by mail [~~on the ground of confinement in jail~~] may be
19 submitted to the early voting clerk, at the discretion of the
20 authority in charge of the jail, by personal delivery by the jail
21 authority or by a designated subordinate of the authority.

22 SECTION 2.09. Subchapter A, Chapter 84, Election Code, is
23 amended by adding Section 84.0091 to read as follows:

24 Sec. 84.0091. SUBMITTING APPLICATION FOR BALLOT VOTED BY
25 MAIL: ELECTRONIC SUBMISSION. (a) The secretary of state shall
26 implement a program to allow a person to complete an application for
27 an early voting ballot by mail over the Internet from the official

1 website of this state. The program must:

2 (1) permit an applicant to electronically sign the
3 application;

4 (2) deliver a completed application to the early
5 voting clerk for the election who serves the election precinct of
6 the applicant's residence; and

7 (3) permit an applicant to check the status of the
8 applicant's application.

9 (b) The program implemented under Subsection (a) must
10 require a person to provide the following information before
11 allowing the person to complete an application for an early voting
12 ballot by mail:

13 (1) the person's name and voter registration number or
14 registration address;

15 (2) the person's driver's license number or personal
16 identification card number issued by the Department of Public
17 Safety; and

18 (3) the last four digits of the person's social
19 security number.

20 SECTION 2.10. Section 84.011(a), Election Code, is amended
21 to read as follows:

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

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

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

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

7 ~~[(3-a) a space for entering the information required~~
8 ~~under Section 84.002(a)(1-a),]~~ and

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

10 (A) a space for an applicant ~~[applying on the~~
11 ~~ground of absence from the county of residence]~~ to indicate:

12 (i) whether the applicant will be absent
13 from the applicant's county of residence on election day;

14 (ii) if applicable, the date on or after
15 which the applicant can receive mail at the address outside the
16 county; and

17 (iii) whether the applicant wishes to
18 receive the balloting materials by electronic transmission and, if
19 so, a space for the applicant to provide an e-mail address;

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

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

27 (D) a space or box for an applicant who is 65

1 years of age or older on election day or has a sickness or physical
2 condition that requires the applicant to reside in a hospital or
3 nursing home or other long-term care facility, or with a relative,
4 ~~[applying on the ground of age or disability]~~ to indicate that the
5 address to which the ballot is to be mailed is the address of a
6 facility or relative described by Section 84.002(a)(3), if
7 applicable;

8 (E) a space or box for an applicant who is
9 confined ~~[applying on the ground of confinement]~~ in jail as
10 described by Section 84.009(a) or who is civilly committed as a
11 sexually violent predator under Chapter 841, Health and Safety
12 Code, and ordered as a condition of civil commitment to reside in a
13 facility operated by or under contract with the Texas Civil
14 Commitment Office, ~~[involuntary civil commitment]~~ to indicate that
15 the address to which the ballot is to be mailed is the address of a
16 relative described by Section 84.002(a)(4) or (6) ~~[(7)]~~, if
17 applicable;

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

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

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

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

27 SECTION 2.11. Sections 86.001(b) and (c), Election Code,

1 are amended to read as follows:

2 (b) If the application complies with the applicable
3 requirements prescribed by this title [~~applicant is entitled to~~
4 ~~vote an early voting ballot by mail~~], the clerk shall provide an
5 official ballot to the applicant as provided by this chapter.

6 (c) Except as provided by Section 86.008, if the applicant
7 is not entitled to vote in the election [~~by mail~~], the clerk shall
8 reject the application, enter on the application "rejected" and the
9 reason for and date of rejection, and deliver written notice of the
10 reason for the rejection to the applicant at both the residence
11 address and mailing address on the application. A ballot may not be
12 provided to an applicant whose application is rejected.

13 SECTION 2.12. Section 86.0015(a), Election Code, is amended
14 to read as follows:

15 (a) This section applies only to an application for a ballot
16 to be voted by mail that [+

17 [~~(1) indicates the ground of eligibility is age or~~
18 ~~disability, and~~

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

22 SECTION 2.13. Section 86.003(c), Election Code, is amended
23 to read as follows:

24 (c) The address to which the balloting materials must be
25 addressed is the address at which the voter is registered to vote,
26 or the registered mailing address if different, unless the
27 application to vote early by mail indicates that the voter [~~ground~~

1 ~~for voting by mail is~~]:

2 (1) will be absent from the voter's ~~[absence from the]~~
3 county of residence on election day, in which case the address must
4 be an address outside the voter's county of residence;

5 (2) is confined ~~[confinement]~~ in jail as described by
6 Section 84.009(a), in which case the address must be the address of
7 the jail or of a relative described by Section 84.002(a)(4);

8 (3) is 65 years of age or older on election day or has a
9 sickness or physical condition that requires the applicant to
10 reside in a hospital or nursing home or other long-term care
11 facility, or with a relative, ~~[age or disability]~~ and ~~[the voter]~~ is
12 living at a hospital, nursing home or other long-term care
13 facility, or retirement center, or with a relative described by
14 Section 84.002(a)(3), in which case the address must be the address
15 of that facility or relative; or

16 (4) is civilly committed as a sexually violent
17 predator under Chapter 841, Health and Safety Code, and ordered as a
18 condition of civil commitment to reside in a facility operated by or
19 under contract with the Texas Civil Commitment Office ~~[involuntary~~
20 ~~civil commitment]~~, in which case the address must be the address of
21 the facility or of a relative described by Section 84.002(a)(6)
22 ~~[84.002(a)(7)]~~.

23 SECTION 2.14. Section 86.004(b), Election Code, is amended
24 to read as follows:

25 (b) For an election to which Section 101.104 applies, the
26 balloting materials for a voter who indicates on the application
27 for a ballot to be voted by mail or the federal postcard application

1 that the voter seeks [~~is eligible~~] to vote early by mail as a
2 consequence of the voter's being outside the United States shall be
3 mailed on or before the later of the 45th day before election day or
4 the seventh calendar day after the date the clerk receives the
5 application. However, if it is not possible to mail the ballots by
6 the deadline of the 45th day before election day, the clerk shall
7 notify the secretary of state within 24 hours of knowing that the
8 deadline will not be met. The secretary of state shall monitor the
9 situation and advise the clerk, who shall mail the ballots as soon
10 as possible in accordance with the secretary of state's guidelines.

11 SECTION 2.15. Section 86.006, Election Code, is amended by
12 amending Subsections (a) and (a-1) and adding Subsections (a-3),
13 (a-4), (a-5), and (a-6) to read as follows:

14 (a) Except as provided by Subsection (a-3), a [A] marked
15 ballot voted under this chapter must be returned to the early voting
16 clerk in the official carrier envelope. The carrier envelope may be
17 delivered in another envelope and must be transported and delivered
18 only by:

- 19 (1) mail;
- 20 (2) common or contract carrier; [~~or~~]
- 21 (3) subject to Subsections (a-1) and (a-2), in-person
22 delivery by the voter who voted the ballot; or
- 23 (4) subject to Subsection (a-4), delivery to an
24 authorized depository box.

25 (a-1) The voter may deliver a marked ballot in person to the
26 early voting clerk's office or to another designated location
27 [~~only~~] while the polls are open on election day or during the early

1 voting period. A voter who delivers a marked ballot in person may
2 return only the voter's own ballot and must present identification
3 required by Section 63.001(b) in a [~~an acceptable~~] form [~~of~~
4 ~~identification~~] described by Section 63.0101.

5 (a-3) A marked ballot received through electronic
6 transmission as provided by Section 86.0031 shall be returned to
7 the early voting clerk by mail or common or contract carrier through
8 the procedures prescribed by the secretary of state.

9 (a-4) The voter may deliver a sealed carrier envelope
10 containing a marked ballot to any depository box authorized by the
11 early voting clerk. The early voting clerk may authorize any number
12 of suitable locations for placement of a depository box.

13 (a-5) The county clerk may designate any of the following
14 locations for delivering marked ballots under Subsection (a-1):

15 (1) the early voting clerk's office;

16 (2) any polling place open during early voting or on
17 election day; or

18 (3) any suitable location that meets criteria
19 prescribed by the secretary of state.

20 (a-6) To ensure that locations designated for delivering
21 marked ballots are accessible and secure, the secretary of state
22 shall adopt rules establishing criteria for a location that a
23 county clerk may designate under Subsection (a-5).

24 SECTION 2.16. Section 87.041(b), Election Code, is amended
25 to read as follows:

26 (b) A ballot may be accepted only if:

27 (1) the carrier envelope certificate is properly

1 executed;

2 (2) neither the voter's signature on the ballot
3 application nor the signature on the carrier envelope certificate
4 is determined to have been executed by a person other than the
5 voter, unless signed by a witness;

6 (3) ~~[the voter's ballot application states a legal
7 ground for early voting by mail;~~

8 ~~[(4)]~~ the voter is registered to vote, if registration
9 is required by law;

10 (4) ~~[(5) the address to which the ballot was mailed
11 to the voter, as indicated by the application, was outside the
12 voter's county of residence, if the ground for early voting is
13 absence from the county of residence;~~

14 ~~[(6)]~~ for a voter to whom a statement of residence form
15 was required to be sent under Section 86.002(a), the statement of
16 residence is returned in the carrier envelope and indicates that
17 the voter satisfies the residence requirements prescribed by
18 Section 63.0011; and

19 (5) ~~[(7)]~~ the address to which the ballot was mailed
20 to the voter is an address ~~[that is otherwise]~~ required by Sections
21 84.002 and 86.003 ~~[, and~~

22 ~~[(8) the information required under Section 86.002(g)
23 provided by the voter identifies the same voter identified on the
24 voter's application for voter registration under Section
25 13.002(c)(8)].~~

26 SECTION 2.17. Section 102.001(a), Election Code, is amended
27 to read as follows:

1 (a) A qualified voter is eligible to vote a late ballot as
2 provided by this chapter if the voter has a sickness or physical
3 condition [~~described by Section 82.002~~] that prevents the voter
4 from appearing at the polling place on election day without a
5 likelihood of needing personal assistance or of injuring the
6 voter's health and originates on or after the day before the last
7 day for submitting an application for a ballot to be voted by mail.

8 ARTICLE 3. CONDUCT OF ELECTIONS

9 SECTION 3.01. Section 12.004(d), Election Code, is amended
10 to read as follows:

11 (d) The [~~If early voting by personal appearance is required~~
12 ~~to be conducted for extended hours under Section 85.005(c) or for~~
13 ~~weekend hours under Section 85.006(e), the~~] registrar's office
14 shall remain open for providing voter registration information
15 during the [~~extended hours or weekend~~] hours that the main early
16 voting polling place is open for voting.

17 SECTION 3.02. Section 13.002(i), Election Code, is amended
18 to read as follows:

19 (i) An applicant who wishes to receive an exemption from the
20 requirements of Section 63.001(b) on the basis of disability must
21 submit:

22 (1) written documentation:

23 (A) from the United States Social Security
24 Administration evidencing the applicant has been determined to have
25 a disability; or

26 (B) from the United States Department of Veterans
27 Affairs evidencing the applicant has a disability rating of at

1 least 50 percent; and

2 (2) a statement in a form prescribed by the secretary
3 of state that the applicant does not have [~~a form of~~] identification
4 required by Section 63.001(b) in a form described by [acceptable
5 under] Section 63.0101.

6 SECTION 3.03. Section 33.001, Election Code, is amended to
7 read as follows:

8 Sec. 33.001. WATCHER DEFINED. In this code, "watcher"
9 means a person appointed under this subchapter to observe the
10 conduct of an election on behalf of a candidate, a political party,
11 a nonpartisan election observation organization, or the proponents
12 or opponents of a measure.

13 SECTION 3.04. Section 33.007(d), Election Code, is amended
14 to read as follows:

15 (d) The number of watchers accepted for service on each side
16 of a measure may not exceed the number authorized by this section.
17 If the number of appointments exceeds the authorized number, the
18 authority accepting the watchers for service shall accept the
19 watchers in the order in which they present their certificates of
20 appointment. A watcher appointed under Section 33.009 is not
21 subject to the limitation of this subsection.

22 SECTION 3.05. Subchapter A, Chapter 33, Election Code, is
23 amended by adding Section 33.009 to read as follows:

24 Sec. 33.009. APPOINTMENT BY NONPARTISAN ORGANIZATION. (a)
25 A nonpartisan election observation organization that has been
26 certified by the secretary of state in accordance with this section
27 may appoint watchers.

1 (b) The secretary of state shall certify qualifying
2 nonpartisan election observation organizations within this state.
3 The secretary of state shall adopt rules establishing criteria to
4 determine whether an organization may be certified. The rules must
5 require the organization and its appointed nonpartisan watchers to:

6 (1) be impartial in substance and process;

7 (2) cooperate with election officers;

8 (3) be diligent in not obstructing the process;

9 (4) be independent from the government, in the
10 interest of promoting the right to vote;

11 (5) be transparent and accountable with regard to
12 funding, including refusal to accept funding from any source or
13 under any condition that may create a conflict of interest; and

14 (6) be vigilant in identifying and addressing
15 potential and actual conflicts of interest.

16 (c) A watcher appointed under this section is not entitled
17 to:

18 (1) sign the seal of a ballot box under Section
19 [127.066](#); or

20 (2) sign the seal of a test material container under
21 Section [127.099](#).

22 SECTION 3.06. Section [33.031](#), Election Code, is amended to
23 read as follows:

24 Sec. 33.031. GENERAL ELIGIBILITY REQUIREMENTS. (a) Except
25 as provided by Subsection (c), to [~~To~~] be eligible to serve as
26 a watcher, a person must be a qualified voter:

27 (1) of the county in which the person is to serve, in

1 an election ordered by the governor or a county authority or in a
2 primary election;

3 (2) of the part of the county in which the election is
4 held, in an election ordered by the governor or a county authority
5 that does not cover the entire county of the person's residence; and

6 (3) of the political subdivision, in an election
7 ordered by an authority of a political subdivision other than a
8 county.

9 (b) In addition to the requirements of Subsection (a), to be
10 eligible to serve as a watcher, a person must complete training
11 under Section 33.008.

12 (c) A person appointed as a watcher under Section 33.009 is
13 not subject to the requirements of Subsection (a) and is eligible to
14 serve as a watcher if the person:

15 (1) is a registered voter in this state; and

16 (2) understands and agrees to comply with the
17 principles and practices set forth in the Declaration of Global
18 Principles for Non-partisan Election Observation and Monitoring by
19 Citizen Organizations and Code of Conduct for Non-partisan Citizen
20 Election Observers and Monitors, as commemorated by the United
21 Nations on April 3, 2012.

22 SECTION 3.07. Subchapter A, Chapter 43, Election Code, is
23 amended by adding Section 43.008 to read as follows:

24 Sec. 43.008. CAMPUS POLLING PLACES. (a) In this section,
25 "institution of higher education" has the meaning assigned by
26 Section 61.003, Education Code.

27 (b) The commissioners court of a county shall designate as a

1 polling place a number of locations on the main campus of an
2 institution of higher education located in the county as follows:

3 (1) if at least 5,000 but fewer than 10,000 students
4 are enrolled at the institution, one location; or

5 (2) if at least 10,000 students are enrolled at the
6 institution, two locations and one additional location for every
7 10,000 students enrolled at the institution over 10,000 students.

8 SECTION 3.08. Sections 63.001(b) and (i), Election Code,
9 are amended to read as follows:

10 (b) Except as provided by Subsection (h), on offering to
11 vote, a voter must present to an election officer at the polling
12 place:

13 (1) one form of photo identification listed in Section
14 63.0101(a); ~~or~~

15 (2) one form of identification listed in Section
16 63.0101(b) (1), (2), or (3) accompanied by the declaration described
17 by Subsection (i);

18 (3) two forms of identification listed under Section
19 63.0101(b), including one form that contains the voter's current
20 address; or

21 (4) two forms of identification listed under Section
22 63.0101(b)(4) accompanied by the declaration described by
23 Subsection (i).

24 (i) If the requirement for identification prescribed by
25 Subsection (b)(1) or (3) is not met, an election officer shall
26 notify the voter that the voter may be accepted for voting if the
27 voter meets the requirement for identification prescribed by

1 Subsection (b)(2) or (4) and executes a declaration declaring the
2 voter has a reasonable impediment to meeting the requirement for
3 identification prescribed by Subsection (b)(1) or (3). A person is
4 subject to prosecution for perjury under Chapter 37, Penal Code, or
5 under Section 63.0013 for a false statement or false information on
6 the declaration. The secretary of state shall prescribe the form of
7 the declaration. The form shall include:

8 (1) a notice that a person is subject to prosecution
9 for perjury under Chapter 37, Penal Code, or under Section 63.0013
10 for a false statement or false information on the declaration;

11 (2) a statement that the voter swears or affirms that
12 the information contained in the declaration is true, that the
13 person described in the declaration is the same person appearing at
14 the polling place to sign the declaration, and that the voter faces
15 a reasonable impediment to procuring the identification prescribed
16 by Subsection (b)(1) or (3);

17 (3) a place for the voter to indicate one of the
18 following impediments:

19 (A) lack of transportation;

20 (B) lack of birth certificate or other documents
21 needed to obtain the identification prescribed by Subsection
22 (b)(1);

23 (C) work schedule;

24 (D) lost or stolen identification;

25 (E) disability or illness;

26 (F) family responsibilities; and

27 (G) the identification prescribed by Subsection

1 (b)(1) or (3) has been applied for but not received;

2 (4) a place for the voter to sign and date the
3 declaration;

4 (5) a place for the election judge to sign and date the
5 declaration;

6 (6) a place to note the polling place at which the
7 declaration is signed; and

8 (7) a place for the election judge to note which form
9 of identification prescribed by Subsection (b)(2) or (4) the voter
10 presented.

11 SECTION 3.09. Sections [63.0101](#)(a) and (b), Election Code,
12 are amended to read as follows:

13 (a) The following documentation is an acceptable form of
14 photo identification under this chapter:

15 (1) a driver's license, election identification
16 certificate, or personal identification card issued to the voter
17 [~~person~~] by the Department of Public Safety that has not expired or
18 that expired no earlier than four years before the date of
19 presentation;

20 (2) a United States military identification card that
21 contains the voter's [~~person's~~] photograph that has not expired or
22 that expired no earlier than four years before the date of
23 presentation;

24 (3) a United States citizenship certificate issued to
25 the voter [~~person~~] that contains the voter's [~~person's~~] photograph;

26 (4) a United States passport book or card issued to the
27 voter [~~person~~] that has not expired or that expired no earlier than

1 four years before the date of presentation; [~~or~~]

2 (5) a license to carry a handgun issued to the voter
3 [~~person~~] by the Department of Public Safety that has not expired or
4 that expired no earlier than four years before the date of
5 presentation;

6 (6) an official Native American tribal document that:

7 (A) contains the voter's photograph and address;

8 and

9 (B) is issued by a tribe that is federally
10 recognized and located in this state; or

11 (7) any other official government document issued to
12 the voter and containing the voter's name, address, and photograph.

13 (b) The following documentation is acceptable as proof of
14 identification under this chapter:

15 (1) a government document that shows the name and
16 address of the voter, including the voter's voter registration
17 certificate;

18 (2) one of the following documents that shows the name
19 and address of the voter:

20 (A) a copy of a current utility bill;

21 (B) a bank or credit union statement;

22 (C) a government check; or

23 (D) a paycheck or pension plan statement; [~~or~~]

24 (3) a certified copy of a domestic birth certificate
25 or other document confirming birth that is admissible in a court of
26 law and establishes the voter's [~~person's~~] identity; or

27 (4) two of the following documents issued or delivered

1 to the voter, one of which must contain the name and address of the
2 voter:

3 (A) a Medicare, Medicaid, or Department of
4 Veterans Affairs identification card or other health insurance
5 identification card;

6 (B) a Department of Defense identification card;

7 (C) a social security identification card;

8 (D) a label on a prescription drug container;

9 (E) an identity bracelet issued by a hospital or
10 long-term care facility;

11 (F) a credit or debit card;

12 (G) an identification card issued by an employer;

13 (H) a student identification card issued by a
14 public or private high school or institution of higher education;

15 (I) a library card;

16 (J) a Texas Department of Criminal Justice
17 document indicating release or parole;

18 (K) a fishing or hunting license;

19 (L) a lease or mortgage for real property;

20 (M) a motor vehicle title;

21 (N) an insurance certificate, policy
22 declaration, or other document demonstrating proof of insurance;

23 (O) a letter from a public or private school or
24 institution of higher education;

25 (P) a personal check;

26 (Q) an official Native American tribal document
27 that is issued by a tribe that is federally recognized and located

1 in this state;

2 (R) a blood donor card;

3 (S) a public transportation card;

4 (T) a property tax assessment;

5 (U) a form prescribed by the Internal Revenue
6 Service;

7 (V) a letter from a public conservator,
8 court-appointed guardian, or trustee;

9 (W) a letter of confirmation of residence, letter
10 of stay, admission form, or statement of benefits from:

11 (i) a student residence;

12 (ii) a nursing home or other long-term care
13 facility or a retirement center;

14 (iii) a shelter; or

15 (iv) a soup kitchen;

16 (X) a document listed in Subdivision (1), (2), or
17 (3); or

18 (Y) another government document containing the
19 voter's name.

20 SECTION 3.10. Section 63.011(b), Election Code, is amended
21 to read as follows:

22 (b) A form for an affidavit required by this section must be
23 printed on an envelope in which the provisional ballot voted by the
24 person may be placed and must include:

25 (1) a space for entering the identification number of
26 the provisional ballot voted by the person; and

27 (2) a space for an election officer to indicate

1 whether the person presented [~~a form of~~] identification required by
2 Section 63.001(b) in a form described by Section 63.0101.

3 SECTION 3.11. Section 64.012, Election Code, is amended by
4 adding Subsection (e) to read as follows:

5 (e) It is an exception to the application of Subsection
6 (a)(1) that the person:

7 (1) voted or attempted to vote a provisional ballot in
8 accordance with Section 63.011; and

9 (2) did not know:

10 (A) of the particular circumstances that made the
11 person not eligible to vote in the election; or

12 (B) that those circumstances made the person not
13 eligible to vote in the election.

14 SECTION 3.12. Section 65.0541(a), Election Code, is amended
15 to read as follows:

16 (a) A voter who is accepted for provisional voting under
17 Section 63.011 because the voter does not meet the identification
18 requirements of Section 63.001(b) may, not later than the sixth day
19 after the date of the election:

20 (1) present [~~a form of~~] identification required by
21 Section 63.001(b) in a form described by Section 63.0101 to the
22 voter registrar for examination; or

23 (2) execute an affidavit described by Section
24 65.054(b)(2)(B) or (C) in the presence of the voter registrar.

25 SECTION 3.13. Sections 85.001(a) and (e), Election Code,
26 are amended to read as follows:

27 (a) The period for early voting by personal appearance

1 begins on the 17th day before election day and continues through the
2 fourth day before election day, except as otherwise provided by
3 this subchapter [~~section~~].

4 (e) For an election held on the uniform election date in May
5 and any resulting runoff election, the period for early voting by
6 personal appearance begins on the 12th day before election day and
7 continues through the fourth day before election day, except as
8 otherwise provided by this subchapter.

9 SECTION 3.14. Section 85.006, Election Code, is amended to
10 read as follows:

11 Sec. 85.006. EXTENDED VOTING [~~ON SATURDAY OR SUNDAY~~]. (a)
12 Except as provided by Subsection (b), the authority ordering an
13 election may order early voting by personal appearance at the main
14 early voting polling place to be conducted:

15 (1) on one or more Saturdays or Sundays during the
16 early voting period; or

17 (2) during an early voting period extended from the
18 fourth day before election day for any number of consecutive days up
19 to and including the day before election day.

20 (b) In an election in which a county clerk is the early
21 voting clerk under Section 83.002, only the early voting clerk may
22 order extended voting [~~on a Saturday or Sunday~~]. The clerk must do
23 so by written order.

24 (c) Except as otherwise provided by this section, the [~~The~~]
25 authority ordering extended voting [~~on a Saturday or Sunday~~] shall
26 determine the hours during which voting is to be conducted.

27 (d) The authority authorized to order extended early voting

1 ~~[on a Saturday or Sunday]~~ under Subsection (a) or (b) shall order
2 ~~[the]~~ voting on a Saturday or Sunday under the applicable
3 subsection on receipt of a written request submitted by at least 15
4 registered voters of the territory covered by the election. The
5 request must be submitted in time to enable compliance with Section
6 85.007. The authority is not required to order the voting on a
7 particular date specified by the request but shall order the voting
8 on at least one Saturday if a Saturday is requested and on at least
9 one Sunday if a Sunday is requested.

10 (e) In a primary election or the general election for state
11 and county officers in a county with a population of 55,000 or more,
12 the early voting clerk shall order voting by personal appearance at
13 the main early voting polling place to be conducted on the last
14 Saturday of the early voting period for at least 12 hours, except
15 that voting may not be conducted earlier than 6 a.m. or later than
16 10 p.m., and on the last Sunday of the early voting period for at
17 least six hours, except that voting may not be conducted earlier
18 than 9 a.m. or later than 10 p.m. The early voting clerk shall order
19 voting to be conducted at those times in those elections in a county
20 with a population under 55,000 on receipt of a written request for
21 those hours submitted by at least 15 registered voters of the
22 county. The request must be submitted in time to enable compliance
23 with Section 85.007. This subsection supersedes any provision of
24 this subchapter to the extent of any conflict.

25 (f) An authority authorized to order extended early voting
26 under Subsection (a) or (b) that orders the voting during an
27 extended early voting period shall order personal appearance voting

1 at the main early voting polling place to be conducted for at least
2 12 hours on any weekday or Saturday and for at least five hours on
3 any Sunday of the extended early voting period.

4 SECTION 3.15. Sections 85.007(a) and (b), Election Code,
5 are amended to read as follows:

6 (a) The election order and the election notice must state:

7 (1) the date that early voting will begin if under
8 Section 85.001(d) the early voting period is to begin later than the
9 prescribed date;

10 (2) the regular dates and hours that voting will be
11 conducted under Section 85.005(b); and

12 (3) the dates and hours that extended voting [~~on~~
13 ~~Saturday or Sunday~~] is ordered to be conducted under Section
14 85.006(a).

15 (b) The early voting clerk shall post notice for each
16 election stating the dates and hours that extended voting [~~on a~~
17 ~~Saturday or Sunday~~] is ordered to be conducted under Section
18 85.006(b).

19 SECTION 3.16. Section 85.064, Election Code, is amended by
20 amending Subsections (b) and (d) and adding Subsection (c) to read
21 as follows:

22 (b) Early voting by personal appearance at each temporary
23 branch polling place shall be conducted on the days that voting is
24 required to be conducted at the main early voting polling place
25 under Section 85.005. The authority establishing the temporary
26 branch polling place shall determine the hours during which the
27 voting is to be conducted on those days. The authority shall order

1 voting to be conducted for the same number of hours that voting is
2 required to be conducted on those days at the main early voting
3 polling place under Section 85.005 on receipt of a written request
4 for those hours submitted by at least 15 registered voters of the
5 county. The request must be submitted in time to enable compliance
6 with Section 85.067 [~~and remain open for at least:~~

7 ~~[(1) eight hours each day; or~~

8 ~~[(2) three hours each day if the city or county clerk~~
9 ~~does not serve as the early voting clerk for the territory holding~~
10 ~~the election and the territory has fewer than 1,000 registered~~
11 ~~voters].~~

12 (c) Early voting by personal appearance at a temporary
13 branch polling place other than a temporary branch polling place
14 established under Section 85.062(d) may be conducted on any one or
15 more days and during any hours of the period for early voting by
16 personal appearance, as determined by the authority establishing
17 the branch.

18 (d) The authority authorized under Section 85.006 to order
19 extended early voting [~~on a Saturday or Sunday~~] may also order, in
20 the manner prescribed by that section, extended early voting to be
21 conducted [~~on a Saturday or Sunday~~] at any one or more of the
22 temporary branch polling places. In addition, the early voting
23 clerk of a county covered by Section 85.006(e) shall order such
24 voting in accordance with that subsection at each temporary branch
25 polling place established under Section 85.062(d).

26 SECTION 3.17. Section 85.065(b), Election Code, is amended
27 to read as follows:

1 (b) Except as provided by Subsection (c), voting at a
2 temporary branch polling place may be conducted on any days and
3 during any hours of the period for early voting by personal
4 appearance, as determined by the authority establishing the branch.
5 The authority authorized under Section 85.006 to order extended
6 early voting [~~on a Saturday or Sunday~~] may also order, in the manner
7 prescribed by that section, extended early voting to be conducted
8 [~~on a Saturday or Sunday~~] at any one or more of the temporary branch
9 polling places.

10 SECTION 3.18. Section 85.068(a), Election Code, is amended
11 to read as follows:

12 (a) The early voting clerk shall post notice for each
13 election stating any dates and the hours that extended voting [~~on~~
14 ~~Saturday or Sunday~~] will be conducted under Section 85.064(d) or
15 85.065(b), if the early voting clerk is a county clerk or city
16 secretary under Section 83.002 or 83.005.

17 SECTION 3.19. Section 87.0241, Election Code, is amended by
18 amending Subsection (b) and adding Subsection (b-1) to read as
19 follows:

20 (b) The board may not count early voting ballots until:

21 (1) the polls open on election day; or

22 (2) in an election conducted by an authority of a
23 county with a population of 100,000 or more, or conducted jointly
24 with such a county or conducted with such a county through a
25 contract for election services, the time the polls close on the
26 fourth day before election day [~~end of the period for early voting~~
27 ~~by personal appearance~~].

1 (b-1) The board may not count early voting ballots voted by
2 personal appearance after the fourth day before election day until
3 the end of the extended early voting period.

4 SECTION 3.20. Section 213.013, Election Code, is amended by
5 adding Subsection (d-1) to read as follows:

6 (d-1) In any recount, a watcher appointed under Section
7 33.009 may be present.

8 SECTION 3.21. Section 662.003(b), Government Code, is
9 amended to read as follows:

10 (b) A state holiday includes only the following days:

11 (1) the 19th day of January, "Confederate Heroes Day,"
12 in honor of Jefferson Davis, Robert E. Lee, and other Confederate
13 heroes;

14 (2) the second day of March, "Texas Independence Day";

15 (3) the 21st day of April, "San Jacinto Day";

16 (4) the 19th day of June, "Emancipation Day in Texas,"
17 in honor of the emancipation of the slaves in Texas in 1865;

18 (5) the 27th day of August, "Lyndon Baines Johnson
19 Day," in observance of the birthday of Lyndon Baines Johnson;

20 (6) the Friday after Thanksgiving Day;

21 (7) the 24th day of December; ~~and~~

22 (8) the 26th day of December; and

23 (9) the first Tuesday after the first Monday in
24 November of an even-numbered year.

25 SECTION 3.22. Section 662.021, Government Code, is amended
26 to read as follows:

27 Sec. 662.021. DATES OF HOLIDAYS. A legal holiday includes

1 only the following days:

2 (1) a national holiday under Section 662.003(a); and

3 (2) a state holiday under Sections 662.003(b)(1)
4 through (6) and Section 662.003(b)(9).

5 ARTICLE 4. ACCOMMODATING VOTERS

6 SECTION 4.01. Section 63.0015, Election Code, is amended by
7 amending Subsections (b), (c), and (d) and adding Subsection (f) to
8 read as follows:

9 (b) An election officer shall [~~may~~] accept a person with a
10 mobility problem that substantially impairs a person's ability to
11 ambulate who is offering to vote before accepting others offering
12 to vote at the polling place who arrived before the person.

13 (c) Notice of the priority given to persons with a mobility
14 problem that substantially impairs a person's ability to ambulate
15 shall be posted:

16 (1) at [~~one or more locations in~~] each entrance to a
17 polling place where it can be read by persons waiting to vote;

18 (2) on the Internet website of the secretary of state;
19 and

20 (3) on each Internet website relating to elections
21 maintained by a county.

22 (d) The notice required by Subsection (c) must read:
23 "Pursuant to Section 63.0015, Election Code, an election officer
24 shall [~~may~~] give voting order priority to individuals with a
25 mobility problem that substantially impairs the person's ability to
26 move around. A person assisting an individual with a mobility
27 problem may also, at the individual's request, be given voting

1 order priority. Disabilities and conditions that may qualify you
2 for voting order priority include paralysis, lung disease, the use
3 of portable oxygen, cardiac deficiency, severe limitation in the
4 ability to walk due to arthritic, neurological, or orthopedic
5 condition, wheelchair confinement, arthritis, foot disorder, the
6 inability to walk 200 feet without stopping to rest, or use of a
7 brace, cane, crutch, or other assistive device."

8 (f) All procedures and accommodations available for voters
9 with disabilities, including voting under Section 64.009, shall be
10 posted in an accessible manner on the county clerk's Internet
11 website.

12 SECTION 4.02. Section 64.009, Election Code, is amended by
13 adding Subsection (a-1) to read as follows:

14 (a-1) At each polling place two parking spaces shall be
15 reserved for voting under this section. The spaces may not be
16 parking spaces designated specifically for persons with
17 disabilities. The parking spaces must be clearly marked with a sign
18 as being for use by a voter who is unable to enter the polling place.
19 The sign must have a telephone number that a voter may call or text
20 to request assistance from election officials at the polling place.

21 SECTION 4.03. Subchapter A, Chapter 84, Election Code, is
22 amended by adding Section 84.0121 to read as follows:

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

1 (b) The early voting clerk may use the application form
2 provided by the secretary of state under Section 84.013 or the early
3 voting clerk's own application form.

4 SECTION 4.04. Section 84.013, Election Code, is amended to
5 read as follows:

6 Sec. 84.013. APPLICATION FORMS FURNISHED BY SECRETARY OF
7 STATE. (a) The secretary of state shall maintain a supply of the
8 official application forms for ballots to be voted by mail and shall
9 furnish the forms in reasonable quantities without charge to
10 individuals or organizations requesting them for distribution to
11 voters.

12 (b) The secretary of state shall provide a printable
13 application for a ballot by mail in a format that complies with
14 Section 84.0121(a) to the early voting clerk for use under that
15 section.

16 SECTION 4.05. Section 84.032(c), Election Code, is amended
17 to read as follows:

18 (c) An applicant may submit a request after the close of
19 early voting by personal appearance by appearing in person and:

20 (1) returning the ballot to be voted by mail to the
21 early voting clerk; or

22 (2) executing an affidavit that the applicant:

23 (A) has not received the ballot to be voted by
24 mail;

25 (B) never requested a ballot to be voted by mail;

26 or

27 (C) was contacted regarding [~~received notice of~~]

1 a defect under Section 87.0271(b) [~~or (c)~~] or 87.0411(b) [~~or (c)~~].

2 SECTION 4.06. Section 86.003, Election Code, is amended by
3 amending Subsection (a) and adding Subsection (e) to read as
4 follows:

5 (a) Except as provided by Subsection (e) and Section
6 86.0031, the [The] balloting materials for voting by mail shall be
7 provided to the voter by mail. A ballot provided by any other method
8 may not be counted.

9 (e) If a voter who applies for early voting by mail has a
10 sickness or physical condition that prevents the voter from
11 appearing at the polling place on election day without a likelihood
12 of needing personal assistance or of injuring the voter's health,
13 or if the voter is expecting to give birth within three weeks before
14 or after election day, the balloting materials may be provided by
15 e-mail in PDF format, through a scanned format, or by any other
16 method of electronic transmission authorized by the secretary of
17 state. The secretary of state shall adopt procedures to implement
18 this subsection.

19 SECTION 4.07. Chapter 86, Election Code, is amended by
20 adding Section 86.0031 to read as follows:

21 Sec. 86.0031. ELECTRONIC METHOD OF PROVIDING
22 BALLOT. (a) A voter voting by mail on the ground of absence from
23 the voter's county of residence may elect to receive the balloting
24 materials by electronic transmission on the voter's application for
25 an early voting ballot to be voted by mail.

26 (b) Balloting materials to be sent by electronic
27 transmission under this section include:

1 (1) the appropriate ballot;

2 (2) ballot instructions, including instructions that
3 inform a voter that the ballot must be returned by mail to be
4 counted;

5 (3) instructions prescribed by the secretary of state
6 on how to create a ballot envelope and carrier envelope or signature
7 sheet for the ballot; and

8 (4) a list of certified write-in candidates, if
9 applicable.

10 (c) The balloting materials may be provided by e-mail to the
11 voter in PDF format, through a scanned format, or by any other
12 method of electronic transmission authorized by the secretary of
13 state.

14 (d) An e-mail address used under this section to request
15 balloting materials is confidential and does not constitute public
16 information for purposes of Chapter 552, Government Code. An early
17 voting clerk shall ensure that a voter's e-mail address provided
18 under this section is excluded from public disclosure.

19 (e) The secretary of state shall prescribe procedures to
20 implement this section.

21 SECTION 4.08. Section 86.015(c), Election Code, is amended
22 to read as follows:

23 (c) An online tool used under this section must:

24 (1) for each election, record:

25 (A) each application for a ballot to be voted by
26 mail received by the clerk; and

27 (B) each carrier envelope sent to a voter by the

1 clerk;

2 (2) for each carrier envelope, record or assign a
3 serially numbered and sequentially issued barcode or tracking
4 number that is unique to each envelope;

5 (3) update the applicable Internet website as soon as
6 practicable after each of the following events occurs:

7 (A) receipt by the early voting clerk of the
8 person's application for a ballot to be voted by mail;

9 (B) acceptance or rejection by the early voting
10 clerk of the person's application for a ballot to be voted by mail;

11 (C) placement in the mail by the early voting
12 clerk of the person's official ballot;

13 (D) receipt by the early voting clerk of the
14 person's marked ballot; and

15 (E) acceptance or rejection by the early voting
16 ballot board of a person's marked ballot; and

17 (4) allow a voter to:

18 (A) submit a statement of residency;

19 (B) provide any information with respect to a
20 witness;

21 (C) attest to a contested signature or provide a
22 signature for a carrier envelope certificate; and

23 (D) correct any other issue with an application
24 or ballot the secretary of state determines is appropriate to cure
25 using the online tool described by Subsection (a) [~~add or correct~~
26 information required under Section ~~84.002(a)(1-a)~~ or Section
27 ~~86.002(g)~~].

1 SECTION 4.09. Section 87.0223(a), Election Code, is amended
2 to read as follows:

3 (a) If the early voting clerk has provided a voter a ballot
4 to be voted by mail by both regular mail and electronic transmission
5 or e-mail under Chapter 101A or Subchapter C, Chapter 101, the clerk
6 may not deliver a jacket envelope containing the early voting
7 ballot voted by mail by the voter to the board until:

8 (1) both ballots are returned; or

9 (2) the deadline for returning marked ballots under
10 Section 86.007 has passed.

11 SECTION 4.10. Section 87.0271, Election Code, is amended to
12 read as follows:

13 Sec. 87.0271. OPPORTUNITY TO CORRECT DEFECT: SIGNATURE
14 VERIFICATION COMMITTEE. (a) This section applies to an early
15 voting ballot voted by mail:

16 (1) for which the voter did not sign the carrier
17 envelope certificate;

18 (2) for which it cannot immediately be determined
19 whether the signature on the carrier envelope certificate is that
20 of the voter; or

21 (3) ~~[missing any required statement of residence,~~

22 ~~[(4) missing information or containing incorrect~~
23 ~~information required under Section 84.002(a)(1-a) or Section~~
24 ~~86.002, or~~

25 ~~[(5)]~~ containing incomplete information with respect
26 to a witness.

27 (b) Before deciding ~~[Not later than the second business day~~

1 ~~after a signature verification committee discovers a defect~~
2 ~~described by Subsection (a) and before the committee decides]~~
3 whether to accept or reject a ~~[timely delivered]~~ ballot under
4 Section 87.027, a signature verification ~~[the]~~ committee shall
5 immediately contact [+

6 ~~[(1) determine if it would be possible for]~~ the voter
7 or witness, as appropriate, to advise the voter or witness of the
8 defect. The committee shall include detailed instructions
9 regarding how to correct the defect in person at the early voting
10 clerk's office ~~[and return the carrier envelope before the time the~~
11 ~~polls are required to close on election day; and~~

12 ~~[(2) return the carrier envelope to the voter by mail,~~
13 ~~if the committee determines that it would be possible for the voter~~
14 ~~to correct the defect and return the carrier envelope before the~~
15 ~~time the polls are required to close on election day].~~

16 (c) Subsection (b) does not apply if [~~If~~] the signature
17 verification committee determines [~~under Subsection (b)(1)~~] that
18 it would [~~not~~] be impossible [~~possible for the voter~~] to correct the
19 defect [~~and return the carrier envelope~~] before the fourth [~~time~~
20 ~~the polls are required to close on election day, the committee may~~
21 ~~notify the voter of the defect by telephone or e-mail and inform the~~
22 ~~voter that the voter may request to have the voter's application to~~
23 ~~vote by mail canceled in the manner described by Section 84.032 or~~
24 ~~come to the early voting clerk's office in person not later than the~~
25 ~~sixth]~~ day after election day [~~to correct the defect~~].

26 (d) [~~If the signature verification committee takes an~~
27 ~~action described by Subsection (b) or (c), the committee must take~~

1 ~~either action described by that subsection with respect to each~~
2 ~~ballot in the election to which this section applies.~~

3 ~~[(c) A poll watcher is entitled to observe an action taken~~
4 ~~under Subsection (b) or (c).]~~

5 ~~[(f)]~~ The secretary of state may adopt rules ~~[prescribe any~~
6 ~~procedures necessary]~~ to implement this section.

7 ~~[(g) Notwithstanding any other law, a ballot may not be~~
8 ~~finally rejected for a reason listed in Section 87.041(b)(1), (2),~~
9 ~~or (6) before the seventh day after election day.]~~

10 SECTION 4.11. Section 87.0411, Election Code, is amended to
11 read as follows:

12 Sec. 87.0411. OPPORTUNITY TO CORRECT DEFECT: EARLY VOTING
13 BALLOT BOARD. (a) This section applies to an early voting ballot
14 voted by mail:

15 (1) for which the voter did not sign the carrier
16 envelope certificate;

17 (2) for which it cannot immediately be determined
18 whether the signature on the carrier envelope certificate is that
19 of the voter; or

20 (3) ~~[missing any required statement of residence,~~
21 ~~[(4) missing information or containing incorrect~~
22 ~~information required under Section 84.002(a)(1-a) or Section~~
23 ~~86.002, or~~

24 ~~[(5)]~~ containing incomplete information with respect
25 to a witness.

26 (b) Before deciding ~~[Not later than the second business day~~
27 ~~after an early voting ballot board discovers a defect described by~~

1 ~~Subsection (a) and before the board decides]~~ whether to accept or
2 reject a [~~timely delivered~~] ballot under Section 87.041, the board
3 shall immediately contact [+

4 ~~[(1) determine if it would be possible for]~~ the voter
5 or witness, as appropriate, to advise the voter or witness of the
6 defect. The board shall include detailed instructions regarding
7 how to correct the defect in person at the early voting clerk's
8 office [~~and return the carrier envelope before the time the polls~~
9 ~~are required to close on election day; and~~

10 ~~[(2) return the carrier envelope to the voter by mail,~~
11 ~~if the board determines that it would be possible for the voter to~~
12 ~~correct the defect and return the carrier envelope before the time~~
13 ~~the polls are required to close on election day].~~

14 (c) Subsection (b) does not apply if [~~If]~~ the early voting
15 ballot board determines [~~under Subsection (b)(1)]~~ that it would
16 [~~not~~] be impossible [~~possible for the voter~~] to correct the defect
17 [~~and return the carrier envelope]~~ before the fourth [~~time the polls~~
18 ~~are required to close on election day, the board may notify the~~
19 ~~voter of the defect by telephone or e-mail and inform the voter that~~
20 ~~the voter may request to have the voter's application to vote by~~
21 ~~mail canceled in the manner described by Section 84.032 or come to~~
22 ~~the early voting clerk's office in person not later than the sixth]~~
23 day after election day [~~to correct the defect~~].

24 (d) [~~If the early voting ballot board takes an action~~
25 ~~described by Subsection (b) or (c), the board must take either~~
26 ~~action described by that subsection with respect to each ballot in~~
27 ~~the election to which this section applies.~~

1 ~~[(c) A poll watcher is entitled to observe an action taken~~
2 ~~under Subsection (b) or (c).~~

3 ~~[(f)]~~ The secretary of state may adopt rules ~~[prescribe any~~
4 ~~procedures necessary]~~ to implement this section.

5 ~~[(g) Notwithstanding any other law, a ballot may not be~~
6 ~~finally rejected for a reason listed in Section 87.041(b)(1), (2),~~
7 ~~or (6) before the seventh day after election day.]~~

8 SECTION 4.12. Section 87.0431(a), Election Code, is amended
9 to read as follows:

10 (a) Not later than the 10th day after election day, the
11 presiding judge of the early voting ballot board shall deliver
12 written notice of the reason for the rejection of a ballot to the
13 voter at the residence address on the ballot application. If the
14 ballot was transmitted to the voter by electronic transmission or
15 e-mail under Chapter 101A or Subchapter C, Chapter 101, the
16 presiding judge shall also provide the notice to the e-mail address
17 to which the ballot was sent.

18 SECTION 4.13. Subtitle B, Title 7, Election Code, is
19 amended by adding Chapter 101A to read as follows:

20 CHAPTER 101A. ELECTRONIC TRANSMISSION OF EARLY VOTING BALLOTING

21 MATERIALS TO VOTERS WITH A DISABILITY

22 Sec. 101A.001. ELIGIBILITY; REQUEST FOR BALLOTING
23 MATERIALS. (a) A person may request from the appropriate early
24 voting clerk electronic transmission of balloting materials under
25 this chapter if the person:

26 (1) submits an application for an early voting ballot
27 to be voted by mail; and

1 (2) either:

2 (A) has a sickness or physical condition that
3 prevents the voter from appearing at the polling place on election
4 day without a likelihood of needing personal assistance or of
5 injuring the voter's health; or

6 (B) is expecting to give birth within three weeks
7 before or after election day.

8 (b) The early voting clerk shall grant a request made under
9 this section for the electronic transmission of balloting materials
10 if:

11 (1) the requestor has submitted a valid application
12 for a ballot to be voted by mail;

13 (2) the requestor indicates on the application that
14 the requestor meets the requirements under Subsection (a)(2);

15 (3) the requestor provides an e-mail address with the
16 request;

17 (4) the request is submitted on or before the seventh
18 day before the date of the election; and

19 (5) a marked ballot for the election from the
20 requestor has not been received by the early voting clerk.

21 Sec. 101A.002. CONFIDENTIALITY OF E-MAIL ADDRESS. An
22 e-mail address used under this chapter to request balloting
23 materials is confidential and does not constitute public
24 information for purposes of Chapter 552, Government Code. An early
25 voting clerk shall ensure that a voter's e-mail address provided
26 under this chapter is excluded from public disclosure.

27 Sec. 101A.003. ELECTIONS COVERED. Balloting materials may

1 be sent electronically under this chapter for any election in which
2 the voter who registers under this chapter is eligible to vote.

3 Sec. 101A.004. BALLOTING MATERIALS TO BE SENT
4 ELECTRONICALLY. Balloting materials to be sent electronically
5 under this chapter include:

6 (1) the appropriate ballot;

7 (2) ballot instructions, including instructions that
8 inform a voter that the ballot must be returned by mail to be
9 counted;

10 (3) instructions prescribed by the secretary of state
11 on how to create a carrier envelope or signature sheet for the
12 ballot; and

13 (4) a list of certified write-in candidates, if
14 applicable.

15 Sec. 101A.005. METHODS OF TRANSMISSION TO VOTER. (a) The
16 balloting materials may be provided to the voter using a method of
17 electronic transmission authorized by the secretary of state.

18 (b) The secretary of state shall prescribe procedures for
19 the retransmission of balloting materials following an
20 unsuccessful transmission of the materials to a voter.

21 Sec. 101A.006. FORM OF BALLOT. (a) The balloting materials
22 provided electronically to a voter must allow a voter with a visual
23 impairment or print disability to electronically receive and mark
24 the voter's ballot using screen reader assistive technology.

25 (b) The secretary of state shall develop instructions
26 regarding the use and availability of the technology described by
27 Subsection (a), including instructions on making the technology

1 available to voters and instructions for counting ballots completed
2 using the technology.

3 Sec. 101A.007. RETURN OF BALLOT. (a) A voter who receives
4 a ballot under this chapter must return the ballot in the same
5 manner as required under Section 101.057 except that a voter who
6 completes a signature sheet is not required to complete a carrier
7 envelope. Except as provided by Chapter 105, the voter may not
8 return the ballot by electronic transmission.

9 (b) A ballot that is not returned as required by Subsection
10 (a) is considered a ballot not timely returned and is not sent to
11 the early voting ballot board for processing.

12 (c) The deadline for the return of a ballot under this
13 section is the same deadline as provided in Section 86.007.

14 Sec. 101A.008. RULES. The secretary of state may adopt
15 rules as necessary to implement this chapter.

16 SECTION 4.14. Section 104.004(e), Election Code, is amended
17 to read as follows:

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

23 ARTICLE 5. INDEPENDENT REDISTRICTING COMMISSION

24 SECTION 5.01. Subtitle A, Title 3, Government Code, is
25 amended by adding Chapter 307 to read as follows:

26 CHAPTER 307. INDEPENDENT REDISTRICTING COMMISSION

27 Sec. 307.001. DEFINITIONS. In this chapter:

1 (1) "Commission" means the independent redistricting
2 commission established under Article XVIII, Texas Constitution.

3 (2) "Redistricting plan" has the meaning assigned by
4 Section 1, Article XVIII, Texas Constitution.

5 Sec. 307.002. OATH. Before serving on the commission, each
6 person appointed shall take and subscribe to the constitutional
7 oath of office.

8 Sec. 307.003. ELIGIBILITY. The eligibility of a person to
9 serve on the commission is as prescribed by Article XVIII, Texas
10 Constitution.

11 Sec. 307.004. OPERATION OF COMMISSION. (a) The
12 legislature shall appropriate sufficient money for the
13 compensation and payment of the expenses of the commission members
14 and any staff employed by the commission.

15 (b) The commission shall be provided access to statistical
16 or other information compiled by the state or its political
17 subdivisions as necessary for the commission's duties.

18 (c) The Texas Legislative Council shall provide technical
19 staff and clerical services at the commission's request.

20 Sec. 307.005. DUTIES. The commission shall:

21 (1) adopt rules to carry out the constitutional duties
22 of the commission and to administer this chapter; and

23 (2) act as the legislature's recipient of the official
24 census and geographic data from the United States Census Bureau
25 pursuant to the federal decennial census.

26 Sec. 307.006. REDISTRICTING PLAN; FORM. The commission
27 shall include with each report under Section 49(2), Article XVIII,

1 Texas Constitution:

2 (1) for each district in the redistricting plan, the
3 total population and the percentage deviation from the average
4 district population;

5 (2) an explanation of the criteria used in developing
6 the redistricting plan with a justification of any population
7 deviation in a district from the average district population;

8 (3) a map or maps of all the districts; and

9 (4) the estimated cost to be incurred by the counties
10 for changes in county election precinct boundaries required to
11 conform to the districts adopted by the commission.

12 Sec. 307.007. REDISTRICTING PLAN STANDARDS. (a) A
13 redistricting plan adopted by the commission must conform to the
14 standards provided by Article XVIII, Texas Constitution.

15 (b) In developing a redistricting plan, the commission may
16 not consider:

17 (1) the potential effects of the districts on
18 incumbents or potential candidates for office;

19 (2) the residence of any elected official or potential
20 candidate for office;

21 (3) any information involving the past political
22 performance of a specific geographic area, except as necessary to
23 comply with federal law or Article XVIII, Texas Constitution; and

24 (4) data concerning party affiliation or voting
25 history, except as necessary to comply with federal law or Article
26 XVIII, Texas Constitution.

27 Sec. 307.008. DISCLOSURE OF DATA REQUIRED. The commission

1 shall make all redistricting plans submitted to the commission,
2 including the commission's preliminary redistricting plans,
3 hearing transcripts, minutes of meetings, maps, narrative
4 descriptions of proposed districts, and other data used by the
5 commission available to the public through the commission's
6 Internet website and other appropriate means.

7 Sec. 307.009. SUBMISSION OF PLAN. On adoption of a
8 preliminary or final redistricting plan by the commission, the
9 commission shall submit the redistricting plan to the governor, the
10 secretary of state, and the presiding officer of each house of the
11 legislature.

12 Sec. 307.010. OPERATIONS AFTER ADOPTION OF REDISTRICTING
13 PLANS. (a) Following the adoption of all redistricting plans that
14 the commission is required to adopt, the commission shall reduce or
15 suspend its staff, contractors, and operations to the extent
16 practicable.

17 (b) The commission shall prepare a financial statement
18 disclosing all expenditures made by the commission. The official
19 record of the commission must contain all relevant information
20 developed by the commission in carrying out its duties, including
21 maps, data, minutes of meetings, written communications, and other
22 information.

23 (c) The secretary of state shall preserve the commission's
24 records as provided by Section 16, Article XVIII, Texas
25 Constitution.

26 (d) Any unexpended money from an appropriation to the
27 commission reverts to the general revenue fund.

1 Sec. 307.011. CHALLENGES TO REDISTRICTING PLAN. After a
2 final redistricting plan is adopted by the commission, any person
3 aggrieved by the plan may file a petition with the supreme court
4 challenging the plan.

5 Sec. 307.012. CONVENING OF COMMISSION FOR REAPPORTIONMENT
6 OF JUDICIAL DISTRICTS. (a) If the Judicial Districts Board fails
7 to make a statewide reapportionment of judicial districts under
8 Subchapter F, Chapter 24, the commission shall convene on September
9 1 of the year provided by Section 7a(e), Article V, Texas
10 Constitution, to make the statewide reapportionment as required by
11 Section 24.946(a).

12 (b) The commission shall complete the reapportionment of
13 judicial districts as soon as possible within the time provided by
14 Section 7a(e), Article V, Texas Constitution.

15 (c) The commission's reapportionment of judicial districts
16 becomes effective as provided by Sections 24.948 and 24.949.

17 (d) Following the effective date of a reapportionment of
18 judicial districts, the commission shall reduce or suspend its
19 operations to the extent practicable.

20 SECTION 5.02. Section 42.032, Election Code, is amended to
21 read as follows:

22 Sec. 42.032. REDISTRICTING: BOUNDARY CHANGES. If changes in
23 county election precinct boundaries are necessary to give effect to
24 a redistricting plan under Article XVIII, [~~III, Section 28, of the~~]
25 Texas Constitution, each commissioners court shall order the
26 changes before October 1 of the year in which the redistricting is
27 done.

1 SECTION 5.03. Section 24.945(e), Government Code, is
2 amended to read as follows:

3 (e) The legislature, the Judicial Districts Board, or the
4 independent redistricting commission [~~Legislative Redistricting~~
5 ~~Board~~] may not redistrict the judicial districts to provide for any
6 judicial district smaller in size than an entire county except as
7 provided by this subsection. Judicial districts smaller in size
8 than the entire county may be created subsequent to a general
9 election in which a majority of the persons voting on the
10 proposition adopt the proposition "to allow the division of
11 _____ County into judicial districts composed of
12 parts of _____ County." A redistricting plan may
13 not be proposed or adopted by the legislature, the Judicial
14 Districts Board, or the independent redistricting commission
15 [~~Legislative Redistricting Board~~] in anticipation of a future
16 action by the voters of any county.

17 SECTION 5.04. Section 24.946(a), Government Code, is
18 amended to read as follows:

19 (a) The board shall meet in accordance with its own rules.
20 The board shall meet at least once in each interim between regular
21 sessions of the legislature and shall exercise its reapportionment
22 powers only in the interims between regular legislative sessions.
23 Meetings of the board shall be subject to the provisions of Chapter
24 551, except as otherwise provided by this subchapter. A
25 reapportionment may not be ordered in the interim immediately
26 following a regular session of the legislature in which a valid and
27 subsisting statewide reapportionment of judicial districts is

1 enacted by the legislature. Unless the legislature enacts a
 2 statewide reapportionment of the judicial districts following each
 3 federal decennial census, the board shall convene not later than
 4 the first Monday of June of the third year following the year in
 5 which the federal decennial census is taken to make a statewide
 6 reapportionment of the districts. The board shall complete its
 7 work on the reapportionment and file its order with the secretary of
 8 state not later than August 31 of the same year. If the Judicial
 9 Districts Board fails to make a statewide apportionment by that
 10 date, the independent redistricting commission [~~Legislative~~
 11 ~~Redistricting Board~~] established under [~~by~~] Article XVIII, [~~III~~,
 12 ~~Section 28, of the~~] Texas Constitution, shall make a statewide
 13 reapportionment of the judicial districts not later than the 90th
 14 [~~150th~~] day after the final day for the Judicial Districts Board to
 15 make the reapportionment, and that apportionment takes effect as
 16 provided by Sections [24.948](#) and [24.949](#).

17 SECTION 5.05. Section [2058.002](#)(a), Government Code, is
 18 amended to read as follows:

19 (a) The legislature or the independent redistricting
 20 commission established [~~Legislative Redistricting Board~~] under
 21 Article XVIII, [~~III, Section 28, of the~~] Texas Constitution, may
 22 officially recognize or act on a federal decennial census before
 23 September 1 of the year after the calendar year during which the
 24 census was taken.

25 ARTICLE 6. AGE OF VOTER

26 SECTION 6.01. Section [13.001](#), Election Code, is amended by
 27 amending Subsections (a) and (b) and adding Subsections (d) and (e)

1 to read as follows:

2 (a) To be eligible for registration as a voter in this
3 state, a person must:

4 (1) except as provided by Subsection (d), be 18 years
5 of age or older;

6 (2) be a United States citizen;

7 (3) not have been determined by a final judgment of a
8 court exercising probate jurisdiction to be:

9 (A) totally mentally incapacitated; or

10 (B) partially mentally incapacitated without the
11 right to vote;

12 (4) not have been finally convicted of a felony or, if
13 so convicted, must not currently be incarcerated for that offense
14 ~~[have:~~

15 ~~[(A) fully discharged the person's sentence,~~
16 ~~including any term of incarceration, parole, or supervision, or~~
17 ~~completed a period of probation ordered by any court, or~~

18 ~~[(B) been pardoned or otherwise released from the~~
19 ~~resulting disability to vote]; and~~

20 (5) be a resident of the county in which application
21 for registration is made.

22 (b) Except as provided by Subsection (d), to ~~[To]~~ be
23 eligible to apply for registration, a person must, on the date the
24 registration application is submitted to the registrar, be at least
25 17 years ~~[and 10 months]~~ of age and satisfy the requirements of
26 Subsection (a) except for age.

27 (d) A person who will be 18 years of age or older on the date

1 of the next general election for state and county officers is
2 eligible to register as a voter in this state for the purposes of
3 voting in the primary election to determine a political party's
4 nominees for the general election if the person satisfies the
5 requirements of Subsection (a) except for age. The secretary of
6 state shall prescribe procedures necessary to implement this
7 subsection.

8 (e) The voter registrar may send a written notice to each
9 person who registers to vote under Subsection (d) stating that the
10 person is only eligible to vote in a primary election or runoff
11 primary election and that the person is not eligible to vote in any
12 other election until the person is 18 years of age. The notice may
13 list the elections in which the person is not eligible to vote.

14 SECTION 6.02. Subchapter A, Chapter 172, Election Code, is
15 amended by adding Section 172.005 to read as follows:

16 Sec. 172.005. VOTING BY PERSON UNDER AGE 18. (a)
17 Notwithstanding Section 11.001, a person may vote in a primary
18 election if the person:

19 (1) will be 18 years of age or older on the date of the
20 subsequent general election for state and county officers; and

21 (2) satisfies the requirements for being a qualified
22 voter except for age.

23 (b) The secretary of state, after consulting with the state
24 chair of each political party required to make nominations by
25 primary election, shall prescribe the procedures necessary to
26 implement this section.

ARTICLE 7. REPEALER; TRANSITION; EFFECTIVE DATE

SECTION 7.01. The following provisions of the Election Code are repealed:

- (1) Section 43.007(i);
- (2) Section 82.001;
- (3) Section 82.002;
- (4) Section 82.003;
- (5) Section 82.004;
- (6) Section 82.008;
- (7) Sections 84.002(b), (b-1), and (c);
- (8) Section 84.0111;
- (9) Sections 86.001(f), (f-1), and (f-2);
- (10) Sections 86.002(g) and (h);
- (11) Section 87.041(d-1);
- (12) Section 112.002(b);
- (13) Section 276.016; and
- (14) Section 276.017.

SECTION 7.02. The secretary of state shall adopt rules as required by Section 63.010, Election Code, as added by this Act, not later than February 1, 2024.

SECTION 7.03. The changes in law made by this Act by adding Sections 12.007 and 63.010, Election Code, and amending Section 85.031(a), Election Code, apply only to an election for which early voting by personal appearance begins on or after February 1, 2024.

SECTION 7.04. The change in law made to Section 13.046(h), Election Code, as amended by this Act, applies beginning with the 2023-2024 school year.

1 SECTION 7.05. Except as provided by this article, the
2 changes in law made by this Act apply only to an election ordered on
3 or after September 1, 2023.

4 SECTION 7.06. (a) Except as provided by Subsections (b)
5 and (c) of this section, this Act takes effect September 1, 2023.

6 (b) Article 5 of this Act takes effect January 1, 2029, but
7 only if the constitutional amendment proposed by the 88th
8 Legislature, Regular Session, 2023, establishing an independent
9 redistricting commission to establish districts for the election of
10 the members of the United States House of Representatives elected
11 from this state, the Texas Senate, and the Texas House of
12 Representatives is approved by the voters. If that proposed
13 constitutional amendment is not approved by the voters, this Act
14 has no effect.

15 (c) Article 6 of this Act takes effect on the date on which
16 the constitutional amendment proposed by the 88th Legislature,
17 Regular Session, 2023, authorizing a person who will be 18 years of
18 age or older on the date of the general election for state and
19 county officers to vote in the preceding primary election takes
20 effect. If that amendment is not approved by the voters, this Act
21 has no effect.