

By: Hayes

H.B. No. 4396

A BILL TO BE ENTITLED

AN ACT

relating to the members on a signature verification committee.

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

SECTION 1. Section 87.027, Election Code, is amended by amending Subsections (a), (d), and (e) and adding Subsections (a-2), (a-3), (d-1), (d-2), (n), and (o) to read as follows:

(a) Except as provided by Subsection (a-1), a signature verification committee may be appointed in any election. In an election other than a primary election or runoff primary election, the [The] early voting clerk is the authority responsible for determining whether a signature verification committee is to be appointed. In a primary election or runoff primary election, the county chair of a political party is the authority responsible for determining whether a signature verification committee is to be appointed.

(a-2) If the early voting clerk determines under Subsection (a) that a signature verification committee is to be appointed for an election other than a primary election or runoff primary election, the clerk shall issue a written order calling for the appointment not later than the 32nd day before the date of the election.

(a-3) If the county chair of a political party determines under Subsection (a) that a signature verification committee is to be appointed for a primary election or a runoff primary election,

1 the county chair shall issue a written order calling for the
2 appointment not later than the 32nd day before the date of the
3 election.

4 (d) The early voting clerk shall determine the total number
5 of members who are to compose the signature verification committee
6 and shall state that number in the order calling for the committee's
7 appointment. A committee must have an odd number of members
8 ~~[consist of]~~ not fewer than five in number ~~[members]~~. In an
9 election in which party alignment is indicated on the ballot, each
10 county chair of a political party with a nominee or aligned
11 candidate on the ballot shall submit to the appointing authority a
12 list of names of persons eligible to serve on the signature
13 verification committee in order of the county chair's
14 preference. Except as provided by Subsection (d-1), the ~~[The]~~
15 authority shall appoint at least two persons from each list in the
16 order of preference indicated on each list to serve as members of
17 the committee. The same number of members must be appointed from
18 each list.

19 (d-1) In addition to the other members of the committee
20 appointed from the political party whose nominee for governor
21 received the most votes in the county in the most recent
22 gubernatorial general election, the ~~[The]~~ authority shall appoint
23 as chair of the committee the highest-ranked person on the list
24 provided by that ~~[the]~~ political party ~~[whose nominee for governor~~
25 ~~received the most votes in the county in the most recent~~
26 ~~gubernatorial general election]~~.

27 (d-2) The authority shall appoint as vice chair of the

committee the highest-ranked person appointed to the committee from
[~~on~~] the list provided by the political party whose nominee for
governor received the second most votes in the county in the most
recent gubernatorial general election. A vacancy on the committee
shall be filled by appointment from the original list or from a new
list submitted by the appropriate county chair.

(e) To be eligible to serve on a signature verification
committee, a person must not be a member of an early voting ballot
board, and must be eligible under Subchapter C, Chapter 32, for
service as a presiding election judge, except that the person must
be a qualified voter:

(1) of the county, in a countywide election ordered by
the governor or a county authority or in a primary election;

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

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

(n) Before performing any duties as a member of a signature
verification committee, a member shall take the following oath,
administered by the authority responsible for appointing the
members of the committee: "I swear (or affirm) that I will
objectively work to ensure each eligible voter's vote is accepted
and counted, and that only ballots not in compliance with the Texas
Election Code are rejected; I will make every effort to correctly
reflect the intent of a voter when it can be clearly determined; I

1 will not serve alone at any time when ballots are present, and will
2 only serve in the presence of a member of a political party
3 different from my own; I will faithfully perform my duty as an
4 officer of the election, and will guard the purity of the election."

5 (o) After each member takes the oath under Subsection (n),
6 the authority responsible for appointing the members of the
7 signature verification committee shall issue to each member a form
8 of identification prescribed by the secretary of state, which the
9 member must display at all times during the member's service on the
10 committee.

11 SECTION 2. This Act takes effect September 1, 2023.