

By: Smith

H.B. No. 4780

Substitute the following for H.B. No. 4780:

By: Capriglione

C.S.H.B. No. 4780

A BILL TO BE ENTITLED

AN ACT

relating to early voting ballots voted by mail.

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

SECTION 1. Section 64.0322(b), Election Code, is amended to read as follows:

(b) The secretary of state shall prescribe the form required by this section. The form must be incorporated into the official carrier envelope or signature sheet contained in the official carrier envelope if the voter is voting an early voting ballot by mail and receives assistance under Section 86.010, or must be submitted to an election officer at the time the voter casts a ballot if the voter is voting at a polling place or under Section 64.009.

SECTION 2. Sections 86.002(b) and (g), Election Code, are amended to read as follows:

(b) Before providing the balloting materials to the voter, the clerk shall enter on the signature sheet contained in the carrier envelope the identity and date of the election.

(g) The signature sheet contained in the carrier envelope must include a space [~~that is hidden from view when the envelope is sealed~~] for the voter to enter the following information:

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

1           (2) if the voter has not been issued a number described  
2 by Subdivision (1), the last four digits of the voter's social  
3 security number; or

4           (3) a statement by the applicant that the applicant  
5 has not been issued a number described by Subdivision (1) or (2).

6       SECTION 3. Section 86.010(e), Election Code, is amended to  
7 read as follows:

8       (e) A person who assists a voter to prepare a ballot to be  
9 voted by mail shall enter on:

10           (1) the official carrier envelope of the voter[÷  
11           ~~[(1)]~~ the person's signature, printed name, and  
12 residence address; and

13           (2) the signature sheet contained in the official  
14 carrier envelope:

15               (A) the relationship of the person providing the  
16 assistance to the voter; and

17               (B) ~~[(3)]~~ whether the person received or  
18 accepted any form of compensation or other benefit from a  
19 candidate, campaign, or political committee in exchange for  
20 providing assistance.

21       SECTION 4. Section 86.013, Election Code, is amended by  
22 amending Subsections (b), (d), (e), (f), and (g) and adding  
23 Subsection (h) to read as follows:

24       (b) Spaces must appear on the signature sheet contained in  
25 ~~[reverse side of]~~ the official carrier envelope for:

26           (1) indicating the identity and date of the election;

27           (2) entering the signature, printed name, and

1 residence address of a person other than the voter who deposits the  
2 carrier envelope in the mail or with a common or contract carrier;  
3 and

4 (3) indicating the relationship of that person to the  
5 voter.

6 (d) The following textual material, as prescribed by the  
7 secretary of state, must be printed on the signature sheet  
8 contained in [~~reverse side of~~] the official carrier envelope [~~or on~~  
9 ~~a separate sheet accompanying the carrier envelope~~] when it is  
10 provided:

11 (1) the prohibition prescribed by Section 86.006(b);

12 (2) the conditions for delivery by common or contract  
13 carrier prescribed by Sections 81.005 and 86.006;

14 (3) the requirements for the legal execution and  
15 delivery of the carrier envelope, including the prohibition on  
16 compensation for depositing carrier envelopes containing ballots  
17 voted by other persons under Section 86.0052;

18 (4) the prohibition prescribed by Section 86.006(e);  
19 and

20 (5) the offenses prescribed by Sections 86.006(f) and  
21 86.010(f).

22 (e) The following notice must be printed on the signature  
23 sheet contained in [~~reverse side of~~] the official carrier envelope,  
24 near the space provided for the voter's signature: "This envelope  
25 must be sealed by the voter before it leaves the voter's hands. Do  
26 not sign this envelope unless the ballot has been marked by you or  
27 at your direction."

1 (f) The oath of a person assisting a voter must be included  
2 on the signature sheet contained in the official carrier envelope  
3 as part of the certificate prescribed by Subsection (c).

4 (g) The secretary of state by rule shall require that a  
5 notice informing voters of the telephone number established under  
6 Section 31.0055 and the purpose of the telephone number be printed  
7 on the signature sheet [÷

8 ~~[(1) the official carrier envelope; or~~  
9 ~~[(2) an insert]~~ enclosed with the balloting materials  
10 for voting by mail sent to the voter.

11 (h) The secretary of state shall prescribe the form and  
12 content of the signature sheet that satisfies requirements of this  
13 code.

14 SECTION 5. Section 272.011(b), Election Code, is amended to  
15 read as follows:

16 (b) The secretary of state shall prepare the translation for  
17 election materials required to be provided in a language other than  
18 English or Spanish for the following state prescribed voter forms:

19 (1) voter registration application form required by  
20 Section 13.002;

21 (2) the confirmation form required by Section 15.051;

22 (3) the voting instruction poster required by Section  
23 62.011;

24 (4) the reasonable impediment declaration required by  
25 Section 63.001(b);

26 (5) the statement of residence form required by  
27 Section 63.0011;

1           (6) the provisional ballot affidavit required by  
2 Section 63.011;

3           (7) the application for a ballot by mail required by  
4 Section 84.011;

5           (8) the carrier envelope, signature sheet, and voting  
6 instructions required by Section 86.013; and

7           (9) any other voter forms that the secretary of state  
8 identifies as frequently used and for which state resources are  
9 otherwise available.

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