

BILL ANALYSIS

C.S.S.B. 2753
By: Hall
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that state law governing elections has been compiled, amended, and pieced together over time to accommodate evolving ballot styles, voting methods, voting periods, and needs for convenience. The bill sponsor has also informed the committee that, while Texas elections began as a one-day event involving paper and pencil, they have evolved into an extended event involving early voting, voting by mail, and in-person voting, with each voting method having its own set of processes and procedures. C.S.S.B. 2753 seeks to address these issues by requiring the secretary of state to conduct a study examining the changes necessary to better integrate early voting by personal appearance and election day voting.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 2753 amends the Election Code to require the secretary of state to conduct a study examining the feasibility and necessary practices and procedures to integrate early voting by personal appearance and election day voting, including by adjusting the manner in which election returns are processed and making other related changes. The bill requires the secretary of state, in conducting the study, to determine the costs, logistics, and methods required for a county holding an election to do the following:

- conduct early voting beginning on the 12th day before election day and continuing through the day before election day, including Saturdays, Sundays, and holidays;
- designate as locations for polling places on election day each location designated as a polling place during the early voting period;
- provide for the security of voting systems and equipment during the early voting period and between the early voting period and election day; and
- process and tabulate early voting ballots voted by personal appearance to be counted using automatic tabulating equipment in the same manner as ballots voted on election day at the same polling place.

C.S.S.B. 2753 requires the secretary of state, not later than September 1, 2026, to submit to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with jurisdiction over elections a report on the findings of the study,

including any statutory changes necessary to the Election Code for elections in Texas to be conducted in the manner described by the bill's provisions.

C.S.S.B. 2753 expires January 1, 2027.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 2753 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute includes requirements absent from the engrossed for the secretary of state to do the following:

- conduct a study examining the feasibility and necessary practices and procedures to integrate early voting by personal appearance and election day voting;
- in conducting the study, determine the costs, logistics, and methods required for a county holding an election to:
 - conduct early voting beginning on the 12th day before election day and continuing through the day before election day, including Saturdays, Sundays, and holidays;
 - designate as locations for polling places on election day each location designated as a polling place during the early voting period;
 - provide for the security of voting systems and equipment during the early voting period and between the early voting period and election day; and
 - process and tabulate early voting ballots voted by personal appearance to be counted using automatic tabulating equipment in the same manner as ballots voted on election day at the same polling place; and
- not later than September 1, 2026, submit to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with jurisdiction over elections a report on the findings of the study.

The substitute also includes a provision absent from the engrossed establishing that the substitute's provisions expire on January 1, 2027.

The substitute omits provisions from the engrossed that revised provisions of law relating to the following:

- the period for early voting by personal appearance;
- combining certain county election precincts;
- the posting of election results;
- the reporting of precinct results to the secretary of state;
- the canceling of an application for a ballot to be voted by mail;
- election orders and notices;
- possession of keys to an early voting ballot box;
- maintenance of ballots to be counted manually and ballots to be counted using automatic tabulating equipment;
- voting machine security;
- delivery of ballots to the main polling place;
- timing of the counting of early voting ballots in certain counties;
- counting of ballots and the preparing of returns;
- reporting of early voting votes by a precinct;
- disposition and treatment of early voting ballots;
- the deadline for submission of an application for late voting by a disabled voter;

- the repeal of a justification to vote a later early voting ballot;
- the repeal of provisions relating to early voting taking place on one or more Saturdays or Sundays during the early voting period;
- the repeal of a provision establishing the number of hours early voting by personal appearance in certain cities must be conducted;
- the repeal of a provision prescribing the period during which early voting ballots voted by mail to be automatically counted may be delivered to the early voting ballot board;
- the repeal of a provision prescribing the period during which the jacket envelopes containing early voting ballots voted by mail in an election in which early voting votes by personal appearance are cast on voting machines may be delivered to the early voting ballot board;
- the repeal of a provision prescribing the period during which an eligible former resident of Texas may vote a presidential ballot by personal appearance;
- the repeal of a prohibition against a direct recording electronic voting machine being deployed for early voting from being deployed on election day; and
- establishing that the engrossed version's provisions applied only to an election ordered on or after the effective date of the engrossed.

The substitute changes the bill's effective date from on passage, or, if the bill does not receive the necessary vote, September 1, 2025, as in the engrossed, to September 1, 2025.