

By: Bucy

H.B. No. 1917

A BILL TO BE ENTITLED

1 AN ACT

2 relating to early voting by mail by any qualified voter, the  
3 electronic transmission of a ballot to a voter voting early by mail,  
4 and the repeal of certain criminal offenses concerning the  
5 solicitation and distribution of an application to vote by mail.

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

7 SECTION 1. Section 4.003, Election Code, is amended by  
8 amending Subsection (b) and adding Subsection (b-1) to read as  
9 follows:

10 (b) In addition to any other notice given for an election  
11 under Subsection (a), not later than the 21st day before election  
12 day, a county shall post a copy of a notice of the election given by  
13 the county or provided to the county under Section 4.008(a) [~~which~~  
14 ~~must include the location of each polling place,~~] on the county's  
15 Internet website, if the county maintains a website. An authority  
16 responsible for giving notice of an election may post a copy of the  
17 notice on the bulletin board used for posting notices of the  
18 meetings of the governing body of the political subdivision that  
19 the authority serves. If a county does not maintain a website, the  
20 authority responsible for giving notice of the election shall post  
21 a copy of a notice of the election on the bulletin board used for  
22 posting notices of the meetings of the governing body of the  
23 political subdivision that the authority serves. For each precinct  
24 that is combined to form a consolidated precinct under Section

1 42.008, not later than the 10th day before election day, the  
2 authority shall also post, at the polling place used in the  
3 preceding general election, notice of the precinct's consolidation  
4 and the location of the polling place in the consolidated precinct.  
5 A notice posted under this subsection must remain posted  
6 continuously through election day.

7 (b-1) The notice given under Subsection (b) must include:

8 (1) the location of each polling place that will be  
9 open on election day;

10 (2) the location of each polling place that will be  
11 open for early voting; and

12 (3) the location of each polling place designated for  
13 delivering marked ballots under Section 86.006(a-3).

14 SECTION 2. Section 13.002(e), Election Code, is amended to  
15 read as follows:

16 (e) Notwithstanding Section 82.005, a [A] person who is  
17 certified for participation in the address confidentiality program  
18 administered by the attorney general under Subchapter B, Chapter  
19 58, Code of Criminal Procedure, is not eligible for early voting by  
20 mail [~~under Section 82.007~~] unless the person submits an  
21 application under this section by personal delivery. The secretary  
22 of state may adopt rules to implement this subsection.

23 SECTION 3. Chapter 81, Election Code, is amended by adding  
24 Section 81.006 to read as follows:

25 Sec. 81.006. ACCESSIBLE ABSENTEE BALLOT SYSTEM. (a) A  
26 person eligible for early voting by mail under Section 82.005 or  
27 Section 101.001 as a person described by Section 101.001(2)(A) may

1 cast a ballot using an accessible absentee mail system,  
2 notwithstanding any other provision of this title.

3 (b) An accessible absentee mail system must be an electronic  
4 system, including software, used for the sole purpose of enabling  
5 any voter, including a voter who has a disability, to mark the  
6 voter's ballot and print and submit the ballot in the manner  
7 required by law for a ballot marked by the voter.

8 (c) The secretary of state shall adopt rules and prescribe  
9 procedures for the implementation of this section.

10 SECTION 4. Section 82.005, Election Code, is amended to  
11 read as follows:

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

15 SECTION 5. Section 82.007, Election Code, is amended to  
16 read as follows:

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

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

22  ~~(2) ]~~ at the time the voter's early voting ballot

23 application is submitted, [~~the voter~~] is certified for

24 participation in the address confidentiality program administered

25 by the attorney general under Subchapter B, Chapter 58, Code of

26 Criminal Procedure, is eligible for early voting by mail only if the

27 voter submitted a registration application by personal delivery as

1 required by Section 13.002(e).

2 SECTION 6. Section 84.001, Election Code, is amended by  
3 amending Subsections (a) and (e) and adding Subsection (e-1) to  
4 read as follows:

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

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

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

22 SECTION 7. Section 84.002(a), Election Code, is amended to  
23 read as follows:

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

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

27 (1-a) the following information:

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

4 (B) if the applicant has not been issued a number  
5 described by Paragraph (A), the last four digits of the applicant's  
6 social security number; or

7 (C) a statement by the applicant that the  
8 applicant has not been issued a number described by Paragraph (A) or  
9 (B);

10 (2) for an application for a ballot to be voted by mail  
11 by an applicant who will be absent from the applicant's ~~[on the~~  
12 ~~ground of absence from the]~~ county of residence on election day, the  
13 address outside the applicant's county of residence to which the  
14 ballot is to be mailed or an e-mail address for the applicant to  
15 which the ballot is to be sent by electronic transmission;

16 (3) for an application for a ballot to be voted by mail  
17 by an applicant who is 65 years of age or older on election day or  
18 has a sickness or physical condition that requires the applicant to  
19 reside in a hospital or nursing home or other long-term care  
20 facility, or with a relative ~~[on the ground of age or disability],~~  
21 the address of the hospital, nursing home or other long-term care  
22 facility, or retirement center, or of a person related to the  
23 applicant within the second degree by affinity or the third degree  
24 by consanguinity, as determined under Chapter 573, Government Code,  
25 if the applicant is living at that address and that address is  
26 different from the address at which the applicant is registered to  
27 vote;

1           (4) for an application for a ballot to be voted by mail  
2 by an applicant who is confined [~~on the ground of confinement~~] in  
3 jail as described by Section 84.009(a), the address of the jail or  
4 of a person related to the applicant within the degree described by  
5 Subdivision (3);

6           (5) [~~for an application for a ballot to be voted by~~  
7 ~~mail on any ground,~~] an indication of each election for which the  
8 applicant is applying for a ballot; and

9           (6) [~~an indication of the ground of eligibility for~~  
10 ~~early voting; and~~

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

20           SECTION 8. Section 84.009, Election Code, is amended by  
21 amending Subsection (a) and adding Subsection (b) to read as  
22 follows:

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

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

1           (2) pending trial after denial of bail;

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

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

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

11           SECTION 9. Section 84.011(a), Election Code, is amended to  
12 read as follows:

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

15                   (1) immediately preceding the signature space the  
16 statement: "I certify that the information given in this  
17 application is true, and I understand that giving false information  
18 in this application is a crime.";

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

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

25                   (3-a) a space for entering the information required  
26 under Section 84.002(a)(1-a); and

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

1 (A) a space for an applicant [~~applying on the~~  
2 ~~ground of absence from the county of residence~~] to indicate whether  
3 the applicant will be absent from the applicant's county of  
4 residence on election day and, if applicable:

5 (i) the date on or after which the applicant  
6 can receive mail at the address outside the county; or

7 (ii) that the applicant:

8 (a) wishes to receive the balloting  
9 materials by electronic transmission; and

10 (b) has provided an e-mail address for  
11 that electronic transmission;

12 (B) a space for indicating the fact that an  
13 applicant whose application is signed by a witness cannot make the  
14 applicant's mark and a space for indicating the relationship or  
15 lack of relationship of the witness to the applicant;

16 (C) a space for entering an applicant's telephone  
17 number, with:

18 (i) a statement informing the applicant  
19 that failure to furnish that information does not invalidate the  
20 application; and

21 (ii) a statement prescribed by the  
22 secretary of state explaining the benefits of furnishing that  
23 information, including how that information assists the early  
24 voting clerk;

25 (D) a space or box for an applicant who is 65  
26 years of age or older on election day or has a sickness or physical  
27 condition that requires the applicant to reside in a hospital or



1 nursing home or other long-term care facility, or with a relative,  
2 [~~applying on the ground of age or disability~~] to indicate that the  
3 address to which the ballot is to be mailed is the address of a  
4 facility or relative described by Section 84.002(a)(3), if  
5 applicable;

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

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

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

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

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

25 SECTION 10. Sections 86.001(b) and (c), Election Code, are  
26 amended to read as follows:

27 (b) If the application complies with the applicable

1 requirements prescribed by this title [~~applicant is entitled to~~  
2 ~~vote an early voting ballot by mail~~], the clerk shall provide an  
3 official ballot to the applicant as provided by this chapter.

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

11 SECTION 11. Section 86.0015(a), Election Code, is amended  
12 to read as follows:

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

15 [~~(1) indicates the ground of eligibility is age or~~  
16 ~~disability; and~~

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

20 SECTION 12. Sections 86.003(a) and (c), Election Code, are  
21 amended to read as follows:

22 (a) Except as provided by Chapter 101A, the [~~The~~] balloting  
23 materials for voting by mail shall be provided to the voter by mail.  
24 A ballot provided by any other method may not be counted.

25 (c) The address to which the balloting materials must be  
26 addressed is the address at which the voter is registered to vote,  
27 or the registered mailing address if different, unless the

1 application to vote early by mail indicates that the voter [~~ground~~  
2 ~~for voting by mail is~~]:

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

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

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

17 (4) is civilly committed as a sexually violent  
18 predator under Chapter 841, Health and Safety Code, and is ordered  
19 as a condition of civil commitment to reside in a facility operated  
20 by or under contract with the Texas Civil Commitment Office  
21 [~~involuntary civil commitment~~], in which case the address must be  
22 the address of the facility or of a relative described by Section  
23 84.002(a)(6) [~~84.002(a)(7)~~].

24 SECTION 13. Section 86.004(b), Election Code, is amended to  
25 read as follows:

26 (b) For an election to which Section 101.104 applies, the  
27 balloting materials for a voter who indicates on the application

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

12 SECTION 14. Section 86.006, Election Code, is amended by  
13 amending Subsection (a-1) and adding Subsections (a-3) and (a-4) to  
14 read as follows:

15 (a-1) The voter may deliver a marked ballot in person to the  
16 early voting clerk's office or to another designated location  
17 [~~only~~] while the polls are open on election day or during the early  
18 voting period. A voter who delivers a marked ballot in person may  
19 return only the voter's own ballot and must present an acceptable  
20 form of identification described by Section 63.0101.

21 (a-3) The county clerk may designate any of the following  
22 locations for delivering marked ballots under Subsection (a-1):

23 (1) the early voting clerk's office;  
24 (2) any polling place open for early voting or for  
25 election day; or

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

1        (a-4) To ensure that locations designated for delivering  
2 marked ballots are accessible and secure, the secretary of state  
3 shall adopt rules establishing criteria for a location that a  
4 county clerk may designate under Subsection (a-3).

5        SECTION 15. Section 87.0223(a), Election Code, is amended  
6 to read as follows:

7        (a) If the early voting clerk has provided a voter a ballot  
8 to be voted by mail by both regular mail and e-mail under Chapter  
9 101A or Subchapter C, Chapter 101, the clerk may not deliver a  
10 jacket envelope containing the early voting ballot voted by mail by  
11 the voter to the board until:

12                (1) both ballots are returned; or

13                (2) the deadline for returning marked ballots under  
14 Section 86.007 has passed.

15        SECTION 16. Section 87.041(b), Election Code, is amended to  
16 read as follows:

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

18                (1) the carrier envelope certificate is properly  
19 executed;

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

24                (3) ~~[the voter's ballot application states a legal~~  
25 ~~ground for early voting by mail,~~

26                [~~4~~] the voter is registered to vote, if registration  
27 is required by law;

1           (4) [~~(5)~~] ~~the address to which the ballot was mailed~~  
2 ~~to the voter, as indicated by the application, was outside the~~  
3 ~~voter's county of residence, if the ground for early voting is~~  
4 ~~absence from the county of residence;~~

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

10           (5) [~~(7)~~] the address to which the ballot was mailed  
11 to the voter is an address [~~that is otherwise~~] required by Sections  
12 84.002 and 86.003; and

13           (6) [~~(8)~~] the information required under Section  
14 86.002(g) provided by the voter identifies the same voter  
15 identified on the voter's application for voter registration under  
16 Section 13.002(c)(8).

17           SECTION 17. Section 87.0431(a), Election Code, is amended  
18 to read as follows:

19           (a) Not later than the 10th day after election day, the  
20 presiding judge of the early voting ballot board shall deliver  
21 written notice of the reason for the rejection of a ballot to the  
22 voter at the residence address on the ballot application. If the  
23 ballot was transmitted to the voter by e-mail under Chapter 101A or  
24 Subchapter C, Chapter 101, the presiding judge shall also provide  
25 the notice to the e-mail address to which the ballot was sent.

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

1 CHAPTER 101A. E-MAIL TRANSMISSION OF EARLY VOTING BALLOTING

2 MATERIALS TO CERTAIN VOTERS

3 Sec. 101A.001. ELIGIBILITY; REQUEST FOR BALLOTING  
4 MATERIALS. (a) A person eligible to vote under Section 82.005 may  
5 request from the appropriate early voting clerk e-mail transmission  
6 of balloting materials under this chapter if the person:

7 (1) has a sickness or physical condition that prevents  
8 the person from appearing at the polling place on election day  
9 without a likelihood of needing personal assistance or of injuring  
10 the person's health and that originates on or after the day before  
11 the last day for submitting an application for a ballot to be voted  
12 by mail; or

13 (2) will be absent from the person's county of  
14 residence on election day.

15 (b) The early voting clerk shall grant a request made under  
16 this section for the e-mail transmission of balloting materials if:

17 (1) the requestor has submitted a valid application  
18 for a ballot to be voted by mail that indicates that the requestor  
19 is a person described by Subsection (a)(1) or (2);

20 (2) the requestor provides an e-mail address with the  
21 request;

22 (3) the request is submitted on or before the seventh  
23 day before the date of the election; and

24 (4) a marked ballot for the election from the  
25 requestor has not been received by the early voting clerk.

26 Sec. 101A.002. CONFIDENTIALITY OF E-MAIL ADDRESS. An  
27 e-mail address used under this chapter to request balloting

1 materials is confidential and does not constitute public  
2 information for purposes of Chapter 552, Government Code. An early  
3 voting clerk shall ensure that a voter's e-mail address provided  
4 under this chapter is excluded from public disclosure.

5 Sec. 101A.003. ELECTIONS COVERED. Balloting materials may  
6 be sent by e-mail under this chapter for any election in which the  
7 voter who registers under this chapter is eligible to vote.

8 Sec. 101A.004. BALLOTING MATERIALS TO BE SENT BY E-MAIL.  
9 Balloting materials to be sent by e-mail under this chapter  
10 include:

11 (1) the appropriate ballot;  
12 (2) ballot instructions, including instructions that  
13 inform a voter that the ballot must be returned by mail to be  
14 counted;

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

18 (4) a list of certified write-in candidates, if  
19 applicable.

20 Sec. 101A.005. METHODS OF TRANSMISSION TO VOTER. (a) The  
21 balloting materials may be provided by e-mail to the voter in PDF  
22 format, through a scanned format, or by any other method of  
23 electronic transmission authorized by the secretary of state in  
24 writing.

25 (b) The secretary of state shall prescribe procedures for  
26 the retransmission of balloting materials following an  
27 unsuccessful transmission of the materials to a voter.



1       Sec. 101A.006. RETURN OF BALLOT. (a) A voter who receives  
2 a ballot under this chapter must return the ballot in the same  
3 manner as required under Section 101.057 except that a voter who  
4 completes a signature sheet is not required to complete a carrier  
5 envelope. Except as provided by Chapter 105, the voter may not  
6 return the ballot by electronic transmission.

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

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

12       Sec. 101A.007. RULES. The secretary of state may adopt  
13 rules as necessary to implement this chapter.

14       SECTION 19. Section 102.001(a), Election Code, is amended  
15 to read as follows:

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

24       SECTION 20. The following provisions of the Election Code  
25 are repealed:

26               (1) Section 82.001;

27               (2) Section 82.002;

- 1           (3) Section 82.003;
- 2           (4) Section 82.004;
- 3           (5) Section 82.008;
- 4           (6) Sections 84.002(b) and (c);
- 5           (7) Section 84.0111;
- 6           (8) Section 112.002(b);
- 7           (9) Section 276.016; and
- 8           (10) Section 276.017.

9           SECTION 21. The changes in law made by this Act apply only  
10 to an election ordered on or after September 1, 2025.

11          SECTION 22. This Act takes effect September 1, 2025.