

By: Villalobos

H.B. No. 5351

A BILL TO BE ENTITLED

AN ACT

relating to the election for which an application for a ballot to be
voted by mail is requested.

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

SECTION 1. Section 84.004(a), Election Code, is amended to
read as follows:

(a) A person commits an offense if[÷
[~~(1)~~] the person signs an application for a ballot to
be voted by mail as a witness for more than one applicant in the same
election[~~, or~~

~~[(2) the person signs an application for annual
ballots by mail as a witness for more than one applicant in the same
calendar year].~~

SECTION 2. Section 84.007(c), Election Code, is amended to
read as follows:

(c) An [~~Except as provided by Section 86.0015(b), an~~]
application may be submitted at any time in the year of the election
for which a ballot is requested, but not later than the close of
regular business in the early voting clerk's office or 12 noon,
whichever is later, on the 11th day before election day unless that
day is a Saturday, Sunday, or legal state or national holiday, in
which case the last day is the first preceding regular business day.

SECTION 3. Section 84.011(a), Election Code, is amended to
read as follows:

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

3 (1) immediately preceding the signature space the
4 statement: "I certify that the information given in this
5 application is true, and I understand that giving false information
6 in this application is a crime.";

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

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

13 (3-a) a space for entering the information required
14 under Section 84.002(a)(1-a); and

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

16 (A) a space for an applicant applying on the
17 ground of absence from the county of residence to indicate the date
18 on or after which the applicant can receive mail at the address
19 outside the county;

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:

26 (i) a statement informing the applicant
27 that failure to furnish that information does not invalidate the

1 application; and

2 (ii) a statement prescribed by the
3 secretary of state explaining the benefits of furnishing that
4 information, including how that information assists the early
5 voting clerk;

6 (D) a space or box for an applicant applying on
7 the ground of age or disability to indicate that the address to
8 which the ballot is to be mailed is the address of a facility or
9 relative described by Section 84.002(a)(3), if applicable;

10 (E) a space or box for an applicant applying on
11 the ground of confinement in jail or involuntary civil commitment
12 to indicate that the address to which the ballot is to be mailed is
13 the address of a relative described by Section 84.002(a)(4) or (7),
14 if applicable;

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

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

20 (G) ~~[(H)]~~ a statement informing the applicant of
21 the condition prescribed by Section 81.005; and

22 (H) ~~[(I)]~~ a statement informing the applicant of
23 the requirement prescribed by Section 86.003(c).

24 SECTION 4. Section 84.038, Election Code, is amended to
25 read as follows:

26 Sec. 84.038. CANCELLATION EFFECTIVE FOR SINGLE ELECTION.
27 The cancellation of an application for a ballot to be voted by mail

1 under Section 84.032(c), (d), or (e) is effective for a single
2 ballot only and does not cancel the application with respect to a
3 subsequent runoff election[, ~~including a subsequent election to~~
4 ~~which the same application applies under Section 84.001(e) or~~
5 ~~86.0015(b)~~].

6 SECTION 5. Section 86.0015, Election Code, is repealed.

7 SECTION 6. The change in law made by this Act in amending
8 Section 84.004(a), Election Code, applies only to an offense
9 committed on or after the effective date of this Act. An offense
10 committed before the effective date of this Act is governed by the
11 law in effect on the date the offense was committed, and the former
12 law is continued in effect for that purpose. For purposes of this
13 section, an offense was committed before the effective date of this
14 Act if any element of the offense occurred before that date.

15 SECTION 7. This Act applies only to an application for a
16 ballot voted by mail submitted on or after January 1, 2026.

17 SECTION 8. This Act takes effect January 1, 2026.