

By: Israel, Thompson of Harris, Minjarez,
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H.B. No. 913

A BILL TO BE ENTITLED

AN ACT

relating to the requirements pertaining to a ballot to be voted by
mail and materials accompanying the official carrier envelope.

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

SECTION 1. Sections 86.013(c), (d), and (g), Election Code,
are amended to read as follows:

(c) A certificate in substantially the following form must
be printed on the reverse side of the official carrier envelope in a
manner that requires the voter to sign across the flap of the
envelope:

"I certify that the enclosed ballot expresses my wishes
independent of any dictation or undue persuasion by any person.

Signature of voter

By: _____

Signature of person assisting
voter, if applicable (see Ballot
Envelope and separate sheet
accompanying Carrier Envelope for
restrictions and penalties)

Printed name of person assisting
voter, if applicable

Residence address of person
assisting voter, if applicable"

The space provided for the voter's signature must be located in a box that is at least one inch by three inches, and "Signature of Voter" and "Sign Over the Sealed Flap" must be printed in bold type.

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

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

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

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

(4) the prohibition prescribed by Section 86.006(e);

and

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

(g) The secretary of state by rule shall require that a notice informing voters of the telephone number established under Section 31.0055 and the purpose of the telephone number be printed on[+]

~~[(1) the official carrier envelope, or~~

~~[(2)]~~ an insert enclosed with the balloting materials for voting by mail sent to the voter.

1 SECTION 2. Section 87.041, Election Code, is amended by
2 adding Subsection (g) to read as follows:

3 (g) The board may not reject a ballot solely on the grounds
4 that a signature on the carrier envelope certificate is not located
5 entirely in the space provided for the signature.

6 SECTION 3. (a) Subject to Subsection (b) of this section,
7 the changes in law made by this Act apply only to an election
8 ordered on or after the effective date of this Act. An election
9 ordered before the effective date of this Act is governed by the law
10 in effect when the election was ordered, and the former law is
11 continued in effect for that purpose.

12 (b) An authority may continue to use balloting materials
13 procured before the effective date of this Act that complied with
14 applicable law on the date the materials were procured.

15 SECTION 4. This Act takes effect September 1, 2015.