

## **BILL ANALYSIS**

Senate Research Center  
77R11469 DRH-D

C.S.S.B. 1424  
By: Brown, J. E. "Buster"  
State Affairs  
4/3/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

After the 2000 presidential election, the Texas Election Code was analyzed to identify what statutory changes could be made to avoid the voting difficulties encountered by members of the armed forces of the United States who live in Florida. As a result of that analysis, C.S.S.B. 1424 increases the time period that balloting materials for voting by mail are made available to voters from 45 days prior to the election date to 55 days before the election date and mandates that county clerks return problematic mail ballots or Federal Post Card Application ballot requests to voters within two working days if received within a certain time frame.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 86.004, Election Code, to require the balloting materials for voting by mail to be mailed to voters as soon as practicable after the ballots become available but not earlier than the 55th (rather than the 45th) day before election day.

SECTION 2. Amends Section 86.011(d), Election Code, to require the clerk, notwithstanding any other provisions of this code, if the clerk receives a timely carrier envelope before the seventh day before election day that does not fully comply with the applicable requirements prescribed by this title, to return the carrier envelope by mail to the voter not later than the second day after the date the envelope is received. Requires the clerk, if the clerk receives a timely carrier envelope on or after the seventh day before election day, to, if possible, notify the voter of the defect by telephone and advise the voter that the voter may come to the clerk's office in person to correct the defect or cancel the voter's application to vote by mail and vote on election day.

SECTION 3. Effective date: September 1, 2001.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1. Omits text from original proposed SECTION 1 adding Section 82.006, Election Code, regarding emergency military deployment. Redesignates text from original SECTION 2 as SECTION 1 and amends text to require the balloting material for voting by mail to become available no earlier than the 55th, rather than the 60th, day before election day.

SECTION 2. Redesignates text from original SECTION 3 as SECTION 2 and makes a nonsubstantive change.

SECTION 3. Redesignates text from original SECTION 4 as SECTION 3. No changes in text.