

## **BILL ANALYSIS**

Senate Research Center  
82R15757 ATP-F

H.B. 2595  
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State Affairs  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties note that current election procedures require the members of an early voting ballot board to manually compare the signature on an application for a mail-in ballot with the signature on the voted mail-in ballot, which is a time-consuming process. Such parties assert that allowing the elections administrator of a county to electronically file mail-in ballot applications and mail-in ballots would increase efficiency and reduce processing time by allowing the board members to digitally compare and verify the signatures on those two types of documents. In addition, it is noted that a person who resides outside the county and wishes to apply for a mailing ballot is permitted to fax the application for the ballot, while a person who resides in the county and wishes to vote by mail because of age or disability must submit the application for a mail-in ballot by mail or by carrier.

H.B. 2595 seeks to address this discrepancy and other matters by changing statutory provisions relating to the delivery and recording of ballot materials and ballot applications for a mail-in ballot.

H.B. 2595 amends current law relating to the electronic submission and recording of documents associated with voting by mail.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the secretary of state in SECTION 4 (Section 87.126, Election Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 84.007(b), Election Code, as follows:

(b) Requires that an application be submitted to the early voting clerk by mail, common or contract carrier, or a means of sending an electronic copy prescribed by the secretary of state (SOS). Deletes existing text relating to submitting an application by a telephonic facsimile machine, if the applicant is absent from the county and if a machine is available in the clerk's office.

SECTION 2. Amends Subchapter B, Chapter 87, Election Code, by adding Section 87.0211, as follows:

Sec. 87.0211. ELECTRONIC DELIVERY OF MATERIALS RECORDED ELECTRONICALLY. Authorizes the early voting clerk, if ballot materials and ballot applications are recorded electronically as provided by Section 87.126, to deliver those materials to the early voting ballot board through electronic means.

SECTION 3. Amends Section 87.027, Election Code, by adding Subsection (m) to authorize the signature verification committee, if ballot materials or ballot applications are recorded electronically as provided by Section 87.126, to use an electronic copy of a carrier envelope certificate or the voter's ballot application in making the comparison under Subsection (i) (requiring the signature verification committee to compare the signature on each carrier envelope

certificate, except those signed for a voter by a witness, with the signature on the voter's ballot application to determine whether the signatures are those of the same person).

SECTION 4. Amends Subchapter G, Chapter 87, Election Code, by adding Section 87.126, as follows:

Sec. 87.126. ELECTRONIC RECORDING OF BALLOT MATERIALS AND APPLICATIONS. (a) Authorizes the early voting clerk to electronically record applications for a ballot to be voted by mail, jacket envelopes, carrier envelopes, and ballots.

(b) Authorizes SOS to adopt rules providing requirements for the electronic image quality and storage of the electronic images of the documents described by Subsection (a).

SECTION 5. Effective date: upon passage or September 1, 2011.