

## **BILL ANALYSIS**

Senate Research Center

H.B. 1927  
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State Affairs  
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Engrossed

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

After each election cycle, new situations arise that need to be addressed in state election laws to allow local jurisdictions more flexibility and direction in the election process. Recently, there have been issues relating to the implementation and application of providing eligible voters with a ballot by mail. Currently, political subdivisions that do not contract with a county to administer elections are not required to produce a ballot by mail. Some persons eligible to vote by mail expect to receive a ballot by mail for each election in which they qualify to participate. However, in some cases, these ballots are not delivered by mail. H.B. 1927 seeks to remedy these issues by making various changes to the Election Code with regard to the implementation and application of receiving a ballot by mail. These changes will ensure that voters who submit applications for a mail-in ballot are able to vote in every election for which they are eligible.

H.B. 1927 amends current law relating to the application to vote early by mail in more than one election.

### **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 Subchapter B, Chapter 84, Election Code, by adding Section 84.038, as follows:

Sec. 84.038. CANCELLATION EFFECTIVE FOR SINGLE ELECTION. Provides that the cancellation of an application for a ballot to be voted by mail under Section 84.032(c) (relating to submitting a request by appearing in person after the close of early voting), (d) (relating to submitting a request by appearing to certain persons), or (e) (relating to submitting a request and executing an affidavit that the applicant did not mark the ballot) is effective for a single ballot only and does not cancel the application with respect to a subsequent election, including a subsequent election to which the same application applies under Section 84.001(e) (relating to timeliness in relation to a runoff election date for an early ballot) or 86.0015(b).

SECTION 2. Amends Section 86.0015, Election Code, as follows:

Sec. 86.0015. APPLYING FOR MORE THAN ONE ELECTION IN SAME APPLICATION. (a) Provides that this section applies only to an application for a ballot to be voted by mail that indicates, rather than is submitted to the county clerk indicating, the ground of eligibility is age or disability and does not specify the election for which a ballot is requested.

(b) Provides that an application described by Subsection (a) is considered to be an application for a ballot for each election, including any ensuing runoff in which the applicant is eligible to vote and that occurs before the earlier of the end of the calendar year in which the application was submitted, if the application was submitted in an even-numbered year or the subsequent even-numbered calendar

year, if the application was submitted in an odd-numbered year, or the date the county clerk receives notice from the voter registrar under Subsection (f) that the voter has changed residence to another county.

Deletes existing text providing that an application described by Subsection (a) is considered to be an application for a ballot for each election in which the county clerk serves as early voting clerk and in which the applicant is eligible to vote and that occurs before the earlier of the end of the calendar year in which the application was submitted, or the date the county clerk receives notice from the voter registrar under Subsection (d) that the voter has submitted a change in registration information.

(c) Requires the county clerk, in an election of a political subdivision located in a county in which the county clerk is not the early voting clerk, to provide the early voting clerk of the political subdivision that is holding the election a list of voters in the portion of the political subdivision located in the county who have ballot applications on file under this section. Requires the early voting clerk to provide a ballot to be voted by mail to each voter on the list.

(d) Requires the secretary of state to provide a method by which counties and political subdivisions located in the county can exchange and update information on applications received under this section.

(e) Creates this subsection from existing text and makes no further change.

(f) Redesignates existing Subsection (d) as Subsection (f). Requires the voter registrar to notify the county clerk following the receipt of a notice of a change in registration information under Section 15.021 (Notice of Change in Registration Information by Voter). Requires the county clerk to:

(1) except as provided by Subdivision (2), send to the voter ballots to be voted by mail as required by this section at the voter's updated address, and update as necessary the lists provided to early voting clerks under Subsection (c) to reflect the change; or

(2) delete the voter from the county clerk's list of voters who have ballot applications on file under this section, if the voter's county of residence has changed.

SECTION 3. Provides that the changes in law made by this Act apply only to an election for which an application for a ballot to be voted by mail may not be submitted before January 1, 2016.

SECTION 4. Effective date: September 1, 2015.