

BILL ANALYSIS

Senate Research Center
87R21123 TSS-D

C.S.S.B. 1509
By: Creighton
State Affairs
4/20/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

When a Texan submits an application for a ballot by mail, only their first and last name, address, date of birth, and a phone number or email address for contact purposes are required. While this information should match the information on their voter registration, there is no requirement to verify the identity of the voter.

S.B. 1509 requires that a voter submit a photo, copy, or scan of the front side of the acceptable photo ID card. The same photo ID cards that are acceptable for in-person voting are accepted with the application, and the same process for voting if a voter does not have or cannot obtain an acceptable photo ID is followed. Additionally, if the voter does not have an acceptable photo ID, the forms required to vote, a reasonable impediment declaration or provisional ballot affidavit, are mailed to the voter along with the application.

S.B. 1509 also empowers signature verification committees by granting them the authority to compare the photo ID number submitted on the photo/copy/scan of the ID with the photo ID number the voter provides on the absentee ballot that the voter mails in, which this bill requires.

In all aspects, S.B. 1509 aims to match the process and procedure required for in-person voting. It provides Texans with greater peace of mind and ensures that absentee voting provides at least the same level of security as in person voting.

(Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 1509 amends current law relating to identification requirements for early voting by mail.

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 84.001(b), Election Code, as follows:

(b) Requires that an application for an early voting ballot by mail be in writing and signed by the applicant using ink on paper. Provides that an electronic signature or photocopied signature is not permitted.

SECTION 2. Amends Section 84.002, Election Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Requires that an early voting ballot application include:

(1) makes no changes to this subdivision;

(1-a) the following information:

(A) the number of the applicant's driver's license or personal identification card issued by the Department of Public Safety of the State of Texas (DPS) that has not expired or that expired no earlier than four years before the date of application; or

(B) if the applicant has not been issued a number described by Paragraph (A), the last four digits of the applicant's social security number;

(2)-(6) makes no changes to these subdivisions.

(c) Authorizes a person 70 years of age or older to use the number of a driver's license or personal identification card that has expired for the purpose of fulfilling the requirement under Subsection (a)(1-a) if the license or identification is otherwise valid.

SECTION 3. Amends Section 84.011(a), Election Code, to require that the officially prescribed application form for an early voting ballot include a space for entering the information required under Section 84.002(a)(1-a).

SECTION 4. Amends Section 86.001, Election Code, by adding Subsection (f), as follows:

(f) Requires the early voting clerk, if the information required under Section 84.002(a)(1-a) included on the application does not match the information on the applicant's application for voter registration under Section 13.002(c)(8) (relating to requiring that a voter registration application include certain applicant identification information), to reject the application.

SECTION 5. Amends Section 86.002, Election Code, by adding Subsections (g), (h), and (i), as follows:

(g) Requires that the carrier envelope include a space that is hidden from view when the envelope is sealed for the voter to enter the following information:

(1) the number of the voter's driver's license or personal identification card issued by DPS that has not expired or that expired no earlier than four years before the date of presentation; or

(2) if the voter has not been issued a number described by Subdivision (1), the last four digits of the voter's social security number.

(h) Authorizes a person 70 years of age or older to use the number of a driver's license or personal identification card that has expired for purposes of Subsection (g) if the license or identification is otherwise valid.

(i) Prohibits a record associating an individual voter with a ballot from being created.

SECTION 6. Amends Section 87.041(b), Election Code, as follows:

(b) Authorizes a ballot to be accepted only if certain conditions are met, including the condition that the information required under Section 86.002(g) provided by the voter matches the information on the voter's application for voter registration under Section 13.002(c)(8).

SECTION 7. Makes application of this Act prospective.

SECTION 8. Effective date: September 1, 2021.