

BILL ANALYSIS

C.S.H.B. 4369
By: Noble
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In Texas, an early voting clerk is required to deliver certain election materials to an early voting ballot board to aid in the board's processing of early voting results. For purposes of ensuring election integrity, there have been calls for the early voting ballot board to review each application for a mail-in ballot associated with each received carrier envelope to determine if the signature on the ballot application was executed by a person other than the voter.

However, in order to implement this review, the early voting clerk would need to send additional materials to the early voting ballot board. C.S.H.B. 4369 seeks to address these issue by providing for such a review and by requiring an early voting clerk to deliver additional election materials to an early voting ballot board.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4369 amends the Election Code to require the early voting clerk to deliver the following to the early voting ballot board:

- copies of the applications for ballots to be voted by mail for each ballot voted by mail received; and
- copies of the voter's signature from the voter's application for voter registration.

The bill requires the early voting ballot board, before reviewing a carrier envelope certificate, to review each application for a ballot to be voted by mail that correlates with the carrier envelope to determine if the signature on the ballot application was executed by a person other than the voter, unless the application was signed by a witness. The bill requires the early voting clerk to make available for review signatures for each applicant for a ballot to be voted by mail from the previous six years.

C.S.H.B. 4369 clarifies that the early voting clerk may electronically record the front and back of carrier envelopes and requires the early voting clerk to have software available to display all electronically available signatures together. The bill requires the software to be made available for the first election following an update of the software the early voting clerk uses that occurs after September 1, 2021.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4369 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a requirement absent from the original for the software used to display all electronically available signatures together to be made available for the first election following an update of the software used by the early voting clerk that occurs after September 1, 2021.