

SUBJECT: Allowing federal post card applicant voters to receive ballots by e-mail

COMMITTEE: Elections — favorable, without amendment

VOTE: 5 ayes — Laubenberg, Goldman, Israel, Reynolds, Schofield

0 nays

2 absent — Fallon, Phelan

WITNESSES: For — Ed Johnson, Harris County Clerk Office; George Hammerlein, Harris County Clerk's Office; (*Registered, but did not testify*: Colleen Vera; Dana DeBeauvoir, County Clerks Legislative Committee; Bill Sargent, Galveston county clerk; LaQuan Rogers, Get Fit Wit Me; Cinde Weatherby, League of Women Voters of Texas; John Oldham, Texas Association of Elections Administrators; Glen Maxey, Texas Democratic Party; Bill Fairbrother, Texas Republican County Chairmen's Association)

Against — None

On — Alan Vera, Harris County Republican Party Ballot Security Committee; (*Registered, but did not testify*: Ashley Fischer, Texas Secretary of State; Keith Ingram, Texas Secretary of State, Elections Division)

BACKGROUND: The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) currently permits members of the U.S. Uniformed Services and merchant marine, their family members, and U.S. citizens residing outside the country to receive a ballot for an election by e-mail if a federal candidate or issue is on the ballot.

Election Code, sec. 101.104, conforms to UOCAVA requirements by allowing the e-mail transmission of balloting for an election in which an office of the federal government appears on the ballot, including a primary election and an election to fill a vacancy in the Legislature, under certain circumstances.

For other elections, voters who are outside of Texas due to military service or another reason, who are registered or eligible to vote in the state, must receive ballot materials and vote by mail if they wish to vote.

**DIGEST:** HB 2778 would amend Election Code, sec. 101.104 to allow for balloting materials to be sent by e-mail for any election in which a federal postcard applicant voter was eligible to vote.

This bill would take effect September 1, 2015.