

- SUBJECT:** Extending the deadline a mail-in ballot can be counted
- COMMITTEE:** Elections — committee substitute recommended
- VOTE:** 7 ayes — Laubenberg, Israel, R. Anderson, Fallon, Larson, Reynolds, Swanson
- WITNESSES:** For — George Hammerlein, Harris County Clerk's Office; Alan Vera, Harris County Republican Party Ballot Security Committee; Glen Maxey, Texas Democratic Party; Bill Fairbrother, Texas Republican County Chairman's Association; (*Registered, but did not testify:* Jacquelyn Callanen, Bexar County; Ed Johnson, Harris County Clerk's Office; Donna Warndof, Harris County Commissioners Court; Celina Moreno, Mexican American Legal Defense and Education Fund; Mark Mendez, Tarrant County; Sacha Jacobson; Alex Meed)
- Against — Chris Davis, Texas Association of Elections Administrators
- On — John Oldham, Texas Association of Elections Administrators; Ashley Fischer, Texas Secretary of State
- BACKGROUND:** Election Code, sec. 86.007 establishes that a marked ballot voted by mail must arrive at the address on the carrier envelope before the time the polls are required to close on election day. Some observers suggest that valid mail-in ballots go uncounted if not received before 7 p.m. on election day. They say setting an alternative deadline for mail-in ballots postmarked before 7 p.m. on election day but not received until the next day would ensure that more voters were able to cast votes that count.
- DIGEST:** CSHB 1151 would require a marked ballot voted by mail and arriving by 5 p.m. on the day after election day to be counted if the carrier envelope containing the marked ballot was placed for delivery by mail or common or contract carrier before election day and was postmarked by 7 p.m. on election day.
The bill would take effect September 1, 2017.

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NOTES: CSHB 1151 differs from the bill as filed in that the committee substitute would require the envelope containing a mail-in ballot to be postmarked before 7 p.m. on election day.