

SUBJECT: Revising provisions on mail-in voter signature verification

COMMITTEE: Elections — committee substitute recommended

VOTE: 6 ayes — Smith, Burrows, Capriglione, DeAyala, E. Morales, Swanson
3 nays — Bucy, Manuel, Vo

WITNESSES: For — Alan Vera, Harris County Republican Party Ballot Security Committee; Ed Johnson; Xiaomei ‘Mei’ Wang; (*Registered, but did not testify*: Devvie Duke, Jill Glover, Tom, Nobis, Republican Party of Texas; Ed Zenner, RPT; Joey Bennett, Secure Democracy USA; Andrew Eller, State Republican Executive Committee SD24, Republican Party of Texas; Tisha Crow, Texas GOP; Chuck DeVore, Texas Public Policy Foundation; Robert L. Green, Travis County Republican Party Election Integrity Committee for Legislation; and 10 individuals)

Against — Katya Ehresman, Common Cause Texas; Sophia DeLoretto-Chudy (*Registered, but did not testify*: Andrew Hendrickson, ACLU of Texas; Maggie Stern, Children's Defense Fund - Texas; Amber Mills, MOVE Texas Action Fund; Emily Eby French, Texas Civil Rights Project; Brenda Cruz, Texas Democratic Party; Rocio Fierro-Perez, Texas Freedom Network; Cynthia Van Maanen, Travis County Democratic Party; and 29 individuals)

On — Laura Rogers, County and District Clerks' Association; Chris Davis, Texas Association Of Elections Administrators; Christina Adkins, Texas Secretary of State

BACKGROUND: Some have suggested that establishing requirements for accessing, comparing, and verifying signatures on ballot applications and mail-in ballot envelopes would help these procedures to be more consistent.

DIGEST: CSHB 3449 would require the general custodian of election records to preserve an image of the voter's signature on the carrier envelope and early voting ballot application for at least six years.

The early voting clerk would be required to deliver to the early voting ballot board and the signature verification committee, if applicable:

- copies of the applications for ballots to be voted by mail for each received ballot voted by mail; and
- copies of the voter's signature in the county's election records and in the possession of the county clerk or voter registrar from at least the previous six years.

The bill would require, rather than allow, the signature verification committee to compare a voter's carrier envelope signature with any known signature of the voter in the county's election records and on file with the county clerk or voter registrar to determine whether the signature was the voter's. If a signature verification committee was not appointed, the early voting ballot board would be required to determine whether a signature was the voter's by comparing the carrier envelope signature, except those signed for a voter by a witness, with the signature on the voter's ballot application.

The early voting clerk would be required to have software available to display all electronically available signatures in the county's election records. The software would have to be made available for the first election following an update of the software the early voting clerk used under these provisions that occurred after September 1, 2023.

The bill would repeal a provision relating to the presumption that signatures on the ballot application and on the carrier envelope certificate belong to the same voter when certain requirements are met.

The bill would take effect September 1, 2023.