

BILL ANALYSIS

Senate Research Center
81R1428 JRH-D

H.B. 551
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Military personnel and their families stationed overseas should be afforded every opportunity to cast an absentee ballot in federal or other elections in which they are eligible to participate. Currently, this right to vote can be exercised by submission of a federal postcard application, allowing the overseas service personnel and their dependents to register to vote and request an absentee ballot. While the application can be mailed or faxed, it is not uncommon for service personnel and their dependents to have greater access to a scanner. This legislation would give military personnel and their dependents the option to e-mail a scanned version of a federal postcard application to vote by absentee ballot.

H.B. 551 relates to the electronic transmission of a federal postcard application used for voting.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the secretary of state in SECTION 1 (Section 101.004, Election Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 101.004, Election Code, by amending Subsections (a) and (i) and adding Subsections (a-1) and (m), as follows:

(a) Requires that a federal postcard application be submitted, rather than be submitted by mailing it, to the early voting clerk for the election who serves the election precinct of the applicant's residence.

(a-1) Requires that a federal postcard application be submitted by mail or by electronic transmission of an image of the application under procedures prescribed by the secretary of state.

(i) Provides that except as provided by Subsections (1) and (m), for purposes of determining the date a federal postcard application is submitted to the early voting clerk, an application is considered to be submitted on the date it is placed and properly addressed in the United States mail. Makes a nonsubstantive change.

(m) Requires the secretary of state by rule to establish the date on which a federal postcard application is considered to be electronically submitted to the early voting clerk.

SECTION 2. Effective date: September 1, 2009.