

BILL ANALYSIS

Senate Research Center
83R20823 JRJ-F

H.B. 1129
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State Affairs
5/14/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties report that, during the 2012 election, a number of absentee ballots cast by overseas servicemembers were unable to be counted because of issues with international mailing services. These parties contend that allowing servicemembers to receive and cast their votes electronically could prevent this situation from happening again.

H.B. 1129 amends current law relating to a program allowing certain military voters on active duty overseas to cast a ballot electronically.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 105, Election Code, by adding Section 105.004, as follows:

Sec. 105.004. E-MAIL BALLOT PROGRAM. (a) Requires the secretary of state (SOS) to implement a program to allow a person who is casting an early voting ballot by mail to return the ballot by e-mail if the person is a member of the armed forces of the United States who is on active duty overseas and eligible for hostile fire pay. Requires SOS to prescribe procedures to provide for a process implemented under this section to require the voter to print the ballot, print and sign a voter signature form, and then scan the documents before submitting them by e-mail and secure processing of ballots, including requiring the use of a voter's military e-mail address and common access card, or other measures SOS considers appropriate.

(b) Requires SOS to select to participate in the program a county that desires to participate in the program and is determined by SOS to have the appropriate technological capabilities.

(c) Requires SOS to operate the program established under Subsection (a) as a pilot program until September 1, 2015.

(d) Requires SOS, not later than January 1, 2015, to file a report with the legislature. Authorizes the report to include SOS's recommendations on the future use of e-mail ballot submission by members of the armed forces of the United States and suggestions for permanent statutory authority regarding e-mail ballot submission by members of the armed forces of the United States.

(e) Provides that this section expires September 1, 2015.

SECTION 2. Effective date: upon passage or September 1, 2013.