

BILL ANALYSIS

Senate Research Center
83R18308 ADM-F

H.B. 396
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State Affairs
5/10/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties have expressed concern about early voting by mail by military and overseas voters. The parties assert that such voters should have the opportunity to vote on issues relating to their precinct. However, these parties contend that some jurisdictions conducting certain elections are not required to send ballots to military and overseas voters if an application for a ballot does not identify the specific election for which the ballot is requested.

H.B. 396 amends current law relating to providing a federal postcard applicant with a ballot for certain elections in which the applicant is eligible to vote.

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 Section 101.054, Election Code, by amending Subsections (a) and (b), and adding Subsection (b-1), as follows:

(a) Authorizes a person to apply with a single federal postcard application for a ballot for any one or more elections in which the person is eligible to vote as provided by this section, rather than in which the early voting clerk to whom the application is submitted conducts early voting.

(b) Requires that an application that does not identify the election for which a ballot is requested be treated as if it requests a ballot for:

(1) except as provided by Subdivision (3), each general election in which the clerk conducts early voting;

(2) Makes no change to this subdivision; and

(3) each general or special election held by a county, a municipality, or an independent school district within one calendar year after the date the application is received and in which the person is eligible to vote.

(b-1) Requires the clerk, if an application under Subsection (b) indicates the person is eligible to vote in an election described by Subsection (b)(3) in which the early voting clerk who received the application does not conduct early voting, to forward a copy of the application in a form prescribed by the secretary of state to each early voting clerk who conducts early voting for that election.

SECTION 2. Effective date: September 1, 2013.