

## **BILL ANALYSIS**

Senate Research Center  
84R8742 ATP-F

H.B. 2778  
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State Affairs  
5/14/2015  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested observers explain that federal postcard applicant voters may send in an application for a ballot by e-mail and receive a ballot by e-mail, which is then marked, printed out, and mailed back to the early voting clerk. The observers point out that a voter may only receive a ballot by e-mail for elections in which there is a federal candidate or issue on the ballot but that the voter can only receive the ballot by mail if the election is only a local or state election. Many people have expressed confusion and frustration about this and contend that it discourages participation in local elections because the process is not consistent and not as accessible to voters. H.B. 2778 seeks to address these concerns.

H.B. 2778 amends the Election Code to authorize balloting materials to be sent by e-mail for any election in which the voter who registers under statutory provisions relating to voting by a resident federal postcard applicant is eligible to vote and removes a provision limiting that authorization to certain elections.

H.B. 2778 amends current law relating to the elections for which federal postcard applicant voters may be sent ballots by e-mail.

### **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 101.104, Election Code, as follows:

Sec. 101.104. ELECTIONS COVERED. Provides that balloting materials may be sent by e-mail under this subchapter for any election in which the voter who registers under this chapter is eligible to vote. Deletes existing text and existing Subdivisions (1)-(3) providing that the email transmission of balloting materials under this subchapter is limited to an election in which an office of the federal government appears on the ballot, including a primary election, an election to fill a vacancy in the legislature unless the election is ordered as an emergency election under Section 41.0011 or the election is held as an expedited election under Section 203.013, or an election held jointly with an election described by Subdivision (1) or (2).

SECTION 2. Effective date: September 1, 2015.