

## **BILL ANALYSIS**

Senate Research Center  
85R26867 ADM-D

C.S.S.B. 1820  
By: Burton  
State Affairs  
5/1/2017  
Committee Report (Substituted)

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

Voters who wish to request vote by mail have several options for acquiring their ballot; they complete an online request, mail in a request, or send in a prepopulated form sent to them by a candidate for office. While this system has increased the ability of seniors and other qualified mail-in ballot voters to cast their vote, one major flaw causes confusion and large amounts of duplicate work for elections administrators.

Often, voters who receive multiple prepopulated mail-in ballot request forms will send multiple requests. When a duplicate request is received, elections administrators must cancel the original ballot and send a new one, even if all the information on the new request is identical to the old. Additionally, voters have the option to request mail-in ballots for the rest of the calendar year, so they may already be set to receive a ballot from a previous application, yet the elections officials will still be required to cancel and reissue a ballot.

This leads to needless confusion and complication, and makes it more difficult to request and properly cast a mail-in ballot in Texas.

S.B. 1820 amends Section 86.001, Election Code, to specify that if the clerk has previously provided an applicant with an official ballot for a given election, the clerk must deliver written notice to the applicant that states a mail-in ballot was previously provided to the applicant and the date it was issued.

By allowing the original ballot to also fulfil the duplicate request, election administrators can reduce redundant issuing of ballots, which can result in a voter mailing their vote on a canceled ballot. This change will reduce mail-in ballot request redundancy significantly, ensuring that mail-in voters can vote with certainty that their ballot has been counted. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 1820 amends current law relating to an application for a ballot to be voted by 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 86.001, Election Code, by amending Subsections (b) and (g) and adding Subsection (b-1), as follows:

(b) Creates an exception under Subsection (b-1).

(b-1) Provides that this subsection applies only to an early voting clerk who does not electronically record applications for a ballot to be voted by mail under Section 87.126 (Electronic Recording of Ballot Materials and Applications). Requires the clerk, if the clerk has previously provided the applicant with an official ballot for the election for which the applicant requests a ballot and the clerk has not already delivered notice under

this subsection, to deliver written notice to the applicant, at both the residence address and the mailing address on the application, that states certain information.

(g) Deletes the exception that the form of the list of registered voters makes it impracticable to do so.

SECTION 2. Amends Section 86.014(a), Election Code, to provide that a copy of an application for a ballot to be voted by mail is not available for public inspection, except to the voter seeking to verify that the information pertaining to the voter is accurate, until the first business day after the election day of the earliest, rather than the latest, occurring election for which the application is submitted.

SECTION 3. Effective date: September 1, 2017.