

1-1 By: Hughes S.B. No. 901
 1-2 (In the Senate - Filed March 8, 2019; March 11, 2019, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 8, 2019, reported favorably by the following vote: Yeas 8,
 1-5 Nays 1; April 8, 2019, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | X | | | |
| 1-9 | X | | | |
| 1-10 | X | | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | X | | | |
| 1-14 | X | | | |
| 1-15 | X | | | |
| 1-16 | | X | | |

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to election integrity; increasing a criminal penalty.
 1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-21 SECTION 1. Section 86.0051(d), Election Code, is amended to
 1-22 read as follows:
 1-23 (d) An offense under this section is a ~~[Class A misdemeanor,~~
 1-24 ~~unless it is shown on the trial of an offense under this section~~
 1-25 ~~that the person committed an offense under Section 64.036 for~~
 1-26 ~~providing unlawful assistance to the same voter in connection with~~
 1-27 ~~the same ballot, in which event the offense is a]~~ state jail felony.
 1-28 SECTION 2. Section 87.027(i), Election Code, is amended to
 1-29 read as follows:
 1-30 (i) The signature verification committee shall compare the
 1-31 signature on each carrier envelope certificate, except those signed
 1-32 for a voter by a witness, with the signature on the voter's ballot
 1-33 application to determine whether the signatures are those of the
 1-34 voter. The committee may also compare the signatures with any
 1-35 signature ~~[two or more signatures]~~ of the voter made within the
 1-36 preceding six years and on file with the county clerk or voter
 1-37 registrar to determine whether the signatures are those of the
 1-38 voter. Except as provided by Subsection (l), a determination under
 1-39 this subsection that the signatures are not those of the voter must
 1-40 be made by a majority vote of the committee's membership. The
 1-41 committee shall place the jacket envelopes, carrier envelopes, and
 1-42 applications of voters whose signatures are not those of the voter
 1-43 in separate containers from those of voters whose signatures are
 1-44 those of the voter. The committee chair shall deliver the sorted
 1-45 materials to the early voting ballot board at the time specified by
 1-46 the board's presiding judge.
 1-47 SECTION 3. Section 87.041(e), Election Code, is amended to
 1-48 read as follows:
 1-49 (e) In making the determination under Subsection (b)(2),
 1-50 the board may also compare the signatures with any signature ~~[two or~~
 1-51 ~~more signatures]~~ of the voter made within the preceding six years
 1-52 and on file with the county clerk or voter registrar to determine
 1-53 whether the signatures are those of the voter.
 1-54 SECTION 4. Section 87.042(b), Election Code, is amended to
 1-55 read as follows:
 1-56 (b) The ~~[Except as provided by Subsection (c), the]~~ board
 1-57 shall place the ballot envelope containing an accepted ballot in a
 1-58 separate container from the ballot box containing the early voting
 1-59 ballots voted by personal appearance.
 1-60 SECTION 5. Sections 87.062(a) and (c), Election Code, are
 1-61 amended to read as follows:

2-1 (a) On the direction of the presiding judge, the early
2-2 voting ballot board, in accordance with Section 85.032(b), shall
2-3 open the containers [~~container~~] for the early voting ballots that
2-4 are to be counted by the board, remove the contents from the
2-5 containers [~~container~~], and remove any ballots enclosed in ballot
2-6 envelopes from their envelopes.

2-7 (c) Ballots voted by mail shall be tabulated separately from
2-8 the ballots voted by personal appearance and shall be separately
2-9 reported on the returns [~~The results of all early voting ballots~~
2-10 ~~counted by the board under this subchapter shall be included in the~~
2-11 ~~same return~~].

2-12 SECTION 6. Section 87.103, Election Code, is amended to
2-13 read as follows:

2-14 Sec. 87.103. COUNTING BALLOTS AND PREPARING RETURNS.

2-15 (a) The early voting electronic system ballots counted at a
2-16 central counting station, the ballots cast at precinct polling
2-17 places, and the ballots voted by mail shall be tabulated separately
2-18 [~~from the ballots cast at precinct polling places~~] and shall be
2-19 separately reported on the returns.

2-20 (b) The early voting returns prepared at the central
2-21 counting station must include any early voting results obtained by
2-22 the early voting ballot board under Subchapter [~~Subchapters~~] D [~~and~~
2-23 ~~E~~].

2-24 SECTION 7. Section 87.042(c), Election Code, is repealed.

2-25 SECTION 8. The change in law made by this Act to Section
2-26 86.0051(d), Election Code, applies only to an offense committed on
2-27 or after the effective date of this Act. An offense committed
2-28 before the effective date of this Act is governed by the law in
2-29 effect on the date the offense was committed, and the former law is
2-30 continued in effect for that purpose. For purposes of this section,
2-31 an offense was committed before the effective date of this Act if
2-32 any element of the offense occurred before that date.

2-33 SECTION 9. This Act takes effect September 1, 2019.

2-34 * * * * *