

1-1 By: Zaffirini S.B. No. 1638
 1-2 (In the Senate - Filed March 6, 2019; March 14, 2019, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 9, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 9, 2019,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8 | | | | |
| 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 | X | | | |

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1638 By: Zaffirini

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to early voting procedures.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Section 67.007(b), Election Code, is amended to
 1-24 read as follows:
 1-25 (b) The county election returns shall state, for each
 1-26 candidate and for and against each measure:
 1-27 (1) ~~the~~ the total number of votes received in the county
 1-28 as stated by the local canvassing authority's tabulation of votes;
 1-29 (2) the total number of early voting votes cast by
 1-30 personal appearance received in the county; and
 1-31 (3) the total number of early voting votes cast by mail
 1-32 received in the county.
 1-33 SECTION 2. Section 68.004(b), Election Code, is amended to
 1-34 read as follows:
 1-35 (b) The periodic reports may include:
 1-36 (1) vote totals for all contested races being
 1-37 tabulated;
 1-38 (2) vote totals by county for federal offices and
 1-39 statewide offices of the state government;
 1-40 (3) vote totals for federal offices and statewide
 1-41 offices of the state government in each of the six most populous
 1-42 counties, the total for the next 19 most populous counties, and the
 1-43 total for the remaining 229 counties; ~~and~~
 1-44 (4) the total number of early voting votes cast by
 1-45 personal appearance and the total number of early voting votes cast
 1-46 by mail for all contested races being tabulated; and
 1-47 (5) any other information the secretary of state
 1-48 determines to be relevant.
 1-49 SECTION 3. Section 87.027, Election Code, is amended by
 1-50 adding Subsection (i-1) to read as follows:
 1-51 (i-1) The signature verification committee may compare the
 1-52 signature on each carrier envelope certificate, except those signed
 1-53 for a voter by a witness, with the signatures on other carrier
 1-54 envelope certificates received for the same election to determine
 1-55 whether the same voter cast more than one ballot by mail. A
 1-56 determination under this subsection that the same voter cast more
 1-57 than one ballot by mail must be made by a majority vote of the
 1-58 committee's membership. The committee must report a determination
 1-59 under this subsection that the same voter cast more than one ballot
 1-60 by mail in the same election to the attorney general and the

2-1 attorney general shall investigate the allegations. The secretary
2-2 of state may adopt rules relating to the information included in a
2-3 report to the attorney general under this subsection.

2-4 SECTION 4. Section 87.042(b), Election Code, is amended to
2-5 read as follows:

2-6 (b) The [~~Except as provided by Subsection (c), the~~] board
2-7 shall place the ballot envelope containing an accepted ballot in a
2-8 separate ballot box from the ballot box containing the early voting
2-9 ballots voted by personal appearance.

2-10 SECTION 5. Section 87.103, Election Code, is amended by
2-11 amending Subsection (b) and adding Subsection (c) to read as
2-12 follows:

2-13 (b) The early voting returns prepared at the central
2-14 counting station must include any early voting results obtained by
2-15 the early voting ballot board under Subchapter [~~Subchapters~~] D [~~and~~
2-16 ~~E~~].

2-17 (c) The early voting votes cast by personal appearance shall
2-18 be tabulated separately from the early voting votes cast by mail and
2-19 shall be separately reported on the returns.

2-20 SECTION 6. Section 87.124, Election Code, is amended to
2-21 read as follows:

2-22 Sec. 87.124. PRESERVATION OF EARLY VOTING ELECTION RECORDS
2-23 GENERALLY. The early voting election returns, voted early voting
2-24 ballots, and other early voting election records shall be preserved
2-25 after the election in the same manner as the corresponding precinct
2-26 election records except that early voting ballots voted by mail
2-27 shall be preserved in a separate container from early voting
2-28 ballots cast by personal appearance.

2-29 SECTION 7. Section 87.042(c), Election Code, is repealed.

2-30 SECTION 8. This Act takes effect September 1, 2019.

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