

1-1 By: Hughes S.B. No. 2964
1-2 (In the Senate - Filed March 14, 2025; April 7, 2025, read
1-3 first time and referred to Committee on State Affairs;
1-4 April 15, 2025, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 15, 2025, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
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			X	
1-18	X			

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

1-21 relating to an opportunity to correct certain defects in an early
1-22 voting ballot voted by mail.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 86.011, Election Code, is amended by
1-25 amending Subsection (d) and adding Subsections (e), (f), (g), (h),
1-26 (i), (j), and (k) to read as follows:

1-27 (d) Notwithstanding any other provisions of this code, if
1-28 the clerk receives a timely carrier envelope that does not fully
1-29 comply with the applicable requirements prescribed by this title,
1-30 the clerk, not later than the second day after the clerk discovers
1-31 the defect and before the time of delivery under Subchapter B,
1-32 Chapter 87, shall send ~~[may deliver the carrier envelope in person~~
1-33 ~~or by mail to]~~ the voter a notice of the defect and a corrective
1-34 action form developed by the secretary of state under Subsection
1-35 (g) by mail or by common or contract carrier.

1-36 (e) The early voting clerk shall include with the notice
1-37 delivered to the voter under Subsection (d):

1-38 (1) a brief explanation of each defect in the
1-39 noncomplying ballot; and

1-40 (2) a notice that the voter may:

1-41 (A) ~~[and may receive, before the deadline, the~~
1-42 ~~corrected carrier envelope from the voter, or the clerk may notify~~
1-43 ~~the voter of the defect by telephone and advise the voter that the~~
1-44 ~~voter may come to the clerk's office in person to correct the defect~~
1-45 ~~or]~~ cancel the voter's application to vote by mail in the manner
1-46 described by Section 84.032; or

1-47 (B) correct the defect in the voter's ballot by:

1-48 (i) submitting a corrective action form
1-49 developed and made available by the secretary of state under
1-50 Subsection (g) by mail or by common or contract carrier; or

1-51 (ii) coming to the early voting clerk's
1-52 office not later than the sixth day after election day ~~[and vote on~~
1-53 ~~election day]~~.

1-54 (f) If the early voting clerk determines that it would not
1-55 be possible for the voter to receive the notice of defect within a
1-56 reasonable time to correct the defect, the clerk may notify the
1-57 voter of the defect by telephone or e-mail and inform the voter that
1-58 the voter may request to have the voter's application to vote by
1-59 mail canceled in the manner described by Section 84.032, submit a
1-60 corrective action form developed by the secretary of state under
1-61 Subsection (g) by mail or by common or contract carrier, or come to

the early voting clerk's office in person not later than the sixth day after election day to correct the defect.

(g) The secretary of state shall develop a corrective action form that may be completed and submitted to an early voting clerk under this section to correct a defect.

(h) If the early voting clerk takes an action described by Subsection (d), the clerk must take either action described by that subsection with respect to each ballot in the election to which this section applies ~~[procedures authorized by this subsection are used, they must be applied uniformly to all carrier envelopes covered by this subsection]~~.

(i) A poll watcher is entitled to observe an action taken under Subsection (d) or (f) ~~[the procedures under this subsection]~~.

(j) The early voting clerk shall:

(1) in addition to sending the voter notice of the defect under Subsection (d) or notifying the voter of the defect by telephone or e-mail under Subsection (f), notify the voter of a defect discovered under this section using the online tool described by Section 86.015; and

(2) if possible, permit the voter to correct a defect using the online tool described by Section 86.015.

(k) The secretary of state may prescribe any ~~[other]~~ procedures necessary to implement this section ~~[subsection including requirements for posting notice of any deliveries]~~.

SECTION 2. Section 86.015(a), Election Code, is amended to read as follows:

(a) The secretary of state shall develop or otherwise provide an online tool to each early voting clerk on the secretary's Internet website and on the county's Internet website if the early voting clerk is the county clerk of a county that maintains an Internet website that enables a person who submits an application for a ballot to be voted by mail to:

(1) track the location and status of the person's application and ballot; and

(2) receive notice of and, if possible, correct a defect in the person's application and ballot under Sections 86.008(c-1), 86.011(j), 87.0271(e-1), and 87.0411(e-1).

SECTION 3. The changes in law made by this Act apply only to an election held on or after the effective date of this Act. An election held before the effective date of this Act is governed by the law in effect when the election was held, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2025.

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