

# VOTING RIGHTS LAB

## STANDALONE BILLS MOVING IN TEXAS

The following bills are standalone versions of provisions from TX HB 6 and/or SB 7 that have moved in the legislature as of May 7:

### Passed One Chamber:

- [HB 574](#) - creates a second degree felony for knowingly or intentionally making any effort to count votes the person knows are invalid or alter a report to include votes the person knows are invalid or refuse to count valid votes or alter a report to exclude valid votes.
  - The Senate State Affairs Committee passed this bill on May 5.
- [HB 2283](#) - prohibits local election officials from accepting contributions of \$1000 or more from a private individual, corporation, partnership, trust, or other third party. Local election officials would need the written consent of the relevant political subdivision to accept a donation of less than \$1000. The bill would make an exception for an in-kind contribution of food or beverage for election workers during the administration of an election or the contribution of a building for use as a polling location.
- [SB 155](#) - requires the Secretary of State to review quarterly information received about persons excused from jury duty because they are not residents of the county in which they are registered to vote. The Secretary of State would refer information to local prosecuting attorneys or the Attorney General for investigation of whether the voter committed an election offense.
  - The House version of the bill ([HB 2339](#)) passed first committee on April 21. The House Elections committee passed this bill on April 27.
- [SB 1112](#) - prohibits election officials to suspend the signature verification requirement for early voting by mail ballots. The bill would make a violation of the prohibition a Class A misdemeanor.
- [SB 1113](#) - allows the Secretary of State to withhold funds from any registrar who fails to perform statutory list maintenance duties.
  - A similar House bill ([HB 4044](#)) passed first committee on April 21. The House Elections Committee passed this bill on April 27.

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- [SB 1340](#) - a comprehensive voter registration/purge bill that shares provisions with the original version of SB 7. This bill also centralizes many VR/VLM duties in the SoS rather than local registrars and would impose a documentary proof of citizenship requirement for registration applications for whom DPS can not confirm citizenship status. The bill also makes registration applications effective upon approval rather than upon submission.
  - Other than the two priority bills (HB6 & SB 7), this bill would impose the greatest comprehensive anti-voter changes in Texas among the bills that have moved so far.
  - This bill was heard in the House Elections Committee on April 29 and was left pending without a vote.
- [SB 1675](#) - prohibits the suspension or amendment of any law or rule concerning vote by mail procedures. The bill would also prohibit the Governor to suspend or amend any rule concerning vote by mail procedures during a declared emergency except to allow in person return of mail ballots before Election Day.

## Passed First Committee:

- [HB 611](#) - creates the offense of perjury in connection with providing voter assistance. The bill would make an offense a class A misdemeanor except that an offense will be a state jail felony if a person makes a false statement three or more times in connection with any election in a four-year period. The bill would also add language to the oath for a person providing assistance to affirm they did not encourage, pressure, coerce, or intimidate the voter into selecting the person to provide assistance.
- [HB 3080](#) - creates a class A misdemeanor for any person to provide a mail ballot application to a voter who did not first ask for one. The bill also establishes procedures to implement thumbprint verification for mail ballots.
- [HB 3269](#) - allows only voters who return their unvoted mail ballot to vote a regular ballot at a polling location. The bill would require voters who applied for mail ballots but vote in person for other reasons to vote a provisional ballot. Existing law allows a voter who lost or did not receive their mail ballot to sign an affidavit and vote a regular ballot.

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- [HB 4322](#) - prohibits polling places to be located in tents, other temporary movable structures, or facilities primarily designed for motor vehicles (including parking lots and parking garages). The bill would also prohibit polling places at any personal residence. Existing law allows polling places at personal residences as long as the residence does not belong to a candidate or relative of a candidate.
- [HB 4331](#) - makes providing "vote harvesting services" for compensation and providing compensation for "vote harvesting services" felonies of the third degree. The bill defines "vote harvesting services" as "direct interaction with one or more voters in connection with an official ballot, ballot by mail, or an application for ballot by mail that are performed with the intention that ballot be cast for a specific candidate or measure." The bill also makes knowingly collecting or possessing a ballot in connection with "vote harvesting services" a felony of the third degree.
- [HB 4364](#) - contains similar poll watcher provisions to the original version of SB 7. The bill gives poll watchers free movement throughout polling locations, early voting ballot boards, and signature verification committees and creates a class A misdemeanor for polling place officials to refuse to accept a poll watcher when acceptance is required by law.
- [SJR 51](#) - proposes a constitutional amendment to prohibit state and local election officials from sending a mail ballot application to a voter unless the voter first requests one.
- [SJR 61](#) - proposes a state constitutional amendment to provide that prevents amendment or suspension of absentee voting qualifications and procedures except by specific law passed by the Legislature. The amendment would prohibit the Governor or local election officials to modify or suspend any provision of law concerning absentee voting.

The standalone bills below do not intersect with HB6/SB7 explicitly, but bear watching:

- [HB 530](#) - creates an exception to the prohibition against carrying a handgun at a polling location for presiding election judges and alternate presiding election judges performing their duties who possess a license to carry a handgun.
  - Passed the House

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- [HB 2478/SB 1509](#) - both bills require voters to provide a Texas driver's license/state ID number when applying for and returning a mail ballot. Voters who do not have a driver's license or state ID must provide the last four digits of their Social Security number when applying for and returning a mail ballot.
  - Both bills originally required the voter to provide a photocopy of voter ID with mail ballot applications, but were amended in committee.
  - SB 1509 passed the full Senate on April 28 and passed the House Elections Committee on May 7.
  - HB 2478 has passed the first committee.
- [HB 3974/SB 1111](#) - both bills require a voter who receives an address confirmation notice to provide documentation of their residence when returning the notice. The bill would allow a voter to use a driver's license or state ID, a handgun license, an appraisal district document, a utility bill, or tax document to satisfy the documentation requirement.
  - HB 3974 has passed the first committee.
  - SB 1111 was amended on the Senate floor to limit the documentation requirement to instances when the registration address is a commercial post office box or otherwise does not correspond to a residential address. The bill was passed by the full Senate on April 28. The House Elections Committee passed SB 1111 on May 7.
- [HB 2320](#) - creates a state jail felony for a person other than a voter's authorized witness or assistant to pre-fill the reason for an early voting by mail ballot on an application and to give the voter the application with the intent the voter will submit it.
  - Passed first committee
- [HB 1725](#) - the amended version of this bill prohibits return of mail ballots to unattended receptacles other than mailboxes or common carrier receptacles. The original version of the bill prohibited all in person return of mail ballots.
  - Passed first committee
- [HB 2546](#) - requires the Secretary of State to monitor each court clerk's and voter registrar's compliance with existing law concerning voter list maintenance and suspension and cancellation of voter registrations based on certain information. The bill would create an escalating system of training, audits, and eventual criminal penalties for

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clerks and registrars who the Secretary deems non-compliant. The bill would create a state jail felony for election officials who commit a third or subsequent violation of their statutory list maintenance duties.

- Passed first committee
- [HB 3281](#) - moves the deadline to apply for a mail ballot from 11 days before Election Day to 15 days before Election Day. The bill also requires voters returning ballots by mail to postmark them by the fourth day before Election Day. Existing law allows ballots postmarked by Election Day and received the following day to be considered timely.
  - Passed first committee
- [HB 3970](#) - changes the standard of proof for signature verification on mail ballots. The bill would require election officials to determine that the signature on the ballot and the ballot application belong to the voter. The bill's language creates an implicit presumption that signatures do not match. Existing law requires officials to determine that signatures are non-matching, creating the implicit presumption that signatures do match.
  - Passed first committee