

AN ACT

relating to the deadline for submitting a federal postcard application to the early voting clerk.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsections (e), (f), and (i), Section 101.004, Election Code, are amended to read as follows:

(e) An applicant who otherwise complies with applicable requirements is entitled to receive a full ballot to be voted by mail under this chapter if:

(1) the applicant submits a federal postcard application to the early voting clerk on or before the 20th [~~30th~~] day before election day; and

(2) the application contains the information that is required for registration under Title 2.

(f) The applicant is entitled to receive only a federal ballot to be voted by mail under Chapter 114 if:

(1) the applicant submits the federal postcard application to the early voting clerk after the date provided by Subsection (e)(1) [~~30th day before election day~~] and before the sixth day before election day; and

(2) the application contains the information that is required for registration under Title 2.

(i) Except as provided by Subsection (1), for purposes of determining the date a federal postcard application is submitted to

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1 the early voting clerk, an application is considered to be  
2 submitted on the date it is placed and properly addressed in the  
3 United States mail. An application mailed from an Army/Air Force  
4 Post Office (APO) or Fleet Post Office (FPO) is considered placed in  
5 the United States mail. The date indicated by the post office  
6 cancellation mark, including a United States military post office  
7 cancellation mark, is considered to be the date the application was  
8 placed in the mail unless proven otherwise. For purposes of an  
9 application made under Subsection (e):

10 (1) an application that does not contain a  
11 cancellation mark is considered to be timely if it is received by  
12 the early voting clerk on or before the 15th [~~22nd~~] day before  
13 election day; and

14 (2) if the 20th [~~30th~~] day before the date of an  
15 election is a Saturday, Sunday, or legal state or national holiday,  
16 an application is considered to be timely if it is submitted to the  
17 early voting clerk on or before the next regular business day.

18 SECTION 2. The changes in law made by this Act apply only to  
19 an election held on or after January 1, 2008.

20 SECTION 3. This Act takes effect September 1, 2007.

2007  
June

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David Newkum  
President of the Senate

Jim Coddick  
Speaker of the House

I hereby certify that S.B. No. 361 passed the Senate on May 1, 2007, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 21, 2007, by the following vote: Yeas 30, Nays 0.

Ratsy Law  
Secretary of the Senate

I hereby certify that S.B. No. 361 passed the House, with amendment, on May 17, 2007, by the following vote: Yeas 143, Nays 0, two present not voting.

Robert Haney  
Chief Clerk of the House

Approved:

15 JUN 07  
Date

RICK PERRY  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4 PM O'CLOCK

Roger Winnie  
Secretary of State  
JUN 1 2007