

AN ACT

relating to a program allowing certain military voters on active duty overseas to cast a ballot electronically.

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

SECTION 1. Chapter 105, Election Code, is amended by adding Section 105.004 to read as follows:

Sec. 105.004. E-MAIL BALLOT PROGRAM. (a) The secretary of state shall implement a program to allow a person who is casting an early voting ballot by mail to return the ballot by e-mail if the person is a member of the armed forces of the United States who is on active duty overseas and eligible for hostile fire pay. The secretary of state shall prescribe procedures to provide for a process implemented under this section to require:

(1) the voter to print the ballot, print and sign a voter signature form, and then scan the documents before submitting them by e-mail; and

(2) secure processing of ballots, including requiring the use of a voter's military e-mail address and common access card, or other measures the secretary of state considers appropriate.

(b) The secretary of state shall select to participate in the program one county that:

(1) desires to participate in the program; and

(2) is determined by the secretary of state to have the appropriate technological capabilities.

1 (c) The secretary of state shall operate the program
2 established under Subsection (a) as a pilot program until September
3 1, 2015.

4 (d) Not later than January 1, 2015, the secretary of state
5 shall file a report with the legislature. The report may include
6 the secretary of state's recommendations on the future use of
7 e-mail ballot submission by members of the armed forces of the
8 United States and suggestions for permanent statutory authority
9 regarding e-mail ballot submission by members of the armed forces
10 of the United States.

11 (e) This section expires September 1, 2015.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 1129 was passed by the House on May 7, 2013, by the following vote: Yeas 141, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1129 on May 23, 2013, by the following vote: Yeas 140, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1129 was passed by the Senate, with amendments, on May 21, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor