

1 AN ACT
2 relating to an application to vote early by mail on the grounds of
3 disability or confinement for childbirth.

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

5 SECTION 1. The heading to Section 82.002, Election Code, is
6 amended to read as follows:

7 Sec. 82.002. DISABILITY OR CONFINEMENT FOR CHILDBIRTH.

8 SECTION 2. Section 82.002, Election Code, is amended by
9 amending Subsections (a) and (b) and adding Subsection (c) to read
10 as follows:

11 (a) A qualified voter is eligible for early voting by mail
12 if the voter:

13 (1) has a sickness or physical condition that prevents
14 the voter from appearing at the polling place on election day
15 without a likelihood of needing personal assistance or of injuring
16 the voter's health; or

17 (2) is expecting to give birth within three weeks
18 before or after election day.

19 (b) The following do not constitute [~~Expected or likely~~
20 ~~confinement for childbirth on election day is~~] sufficient cause to
21 entitle a voter to vote under Subsection (a):

22 (1) a lack of transportation;

23 (2) a sickness that does not prevent the voter from
24 appearing at the polling place on election day without a likelihood

1 of needing personal assistance or of injuring the voter's health;
2 or

3 (3) a requirement to appear at the voter's place of
4 employment on election day.

5 (c) To be eligible for an early voting ballot by mail under
6 Subsection (a)(1), an applicant must affirmatively indicate that he
7 or she agrees with the statement prescribed by Section 84.002(c).

8 SECTION 3. Section 84.002, Election Code, is amended by
9 adding Subsection (c) to read as follows:

10 (c) An application for a ballot to be voted by mail on the
11 ground of disability must require the applicant to affirmatively
12 indicate that the applicant agrees with the statement, "I have a
13 sickness or physical condition that prevents me from appearing at
14 the polling place on election day without a likelihood of needing
15 personal assistance or injuring my health," as prescribed by
16 Section 82.002(a).

17 SECTION 4. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 3920 was passed by the House on May 14, 2021, by the following vote: Yeas 99, Nays 44, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3920 was passed by the Senate on May 25, 2021, by the following vote: Yeas 18, Nays 13.

Secretary of the Senate

APPROVED: _____
Date

Governor