

AN ACT

relating to the integration of early voting by personal appearance and election day voting, including the manner in which election returns are processed and other related changes.

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

SECTION 1. Section 12.004(d), Election Code, is amended to read as follows:

(d) If early voting by personal appearance is required to be conducted for extended hours under Section 85.005(c) [~~or for weekend hours under Section 85.006(e)~~], the registrar's office shall remain open for providing voter registration information during the extended hours [~~or weekend hours~~] that the main early voting polling place is open for voting.

SECTION 2. Section 19.004(a), Election Code, is amended to read as follows:

(a) Except as provided by Subsection (d), state funds disbursed under this chapter may be used only to:

(1) defray expenses of the registrar's office in connection with voter registration, including additional expenses related to:

(A) implementation of the National Voter Registration Act of 1993 (52 U.S.C. Section 20501 et seq.);

(B) complying with weekly updating requirements;

and

1 (C) the employment of temporary voter
2 registration personnel for not more than 39 weeks in a state fiscal
3 year; and

4 (2) if the registrar's county has a population of less
5 than 55,000, defray the cost to the registrar's county of keeping
6 the polling places in the county open during the early voting period
7 as required under Section [~~Sections~~] 85.005(c) [~~, 85.006(e), and~~
8 ~~85.064(d)~~].

9 SECTION 3. Section 42.0051, Election Code, is amended to
10 read as follows:

11 Sec. 42.0051. COMBINING CERTAIN PRECINCTS. (a) If changes
12 in county election precinct boundaries to give effect to a
13 redistricting plan result in county election precincts with fewer
14 than 3,000 registered voters, a commissioners court for a general
15 or special election, or for a primary election, the county
16 executive committee of a political party conducting a primary
17 election, may combine county election precincts notwithstanding
18 Section 42.005 to avoid unreasonable expenditures for election
19 equipment, supplies, and personnel [~~This section applies only to a~~
20 ~~county with a population of less than 1.2 million that does not~~
21 ~~participate in the countywide polling place program described by~~
22 ~~Section 43.007~~].

23 (b) A combined precinct under Subsection (a) is subject to
24 the maximum population prescribed for a precinct under Section
25 42.006.

26 (c) [~~(a-1)~~] In a county that does not participate in the
27 countywide polling place program described by Section 43.007, for a

1 general or special election for which use of county election
2 precincts is required, the commissioner's court [~~may,~~] on the
3 recommendation of the county election board, or for a primary
4 election for which use of county election precincts is required,
5 the county executive committee of a political party conducting the
6 primary election, may combine county election precincts
7 notwithstanding Section 42.005 if:

8 (1) the commissioners court cannot secure a suitable
9 polling place location under Section 43.031; and

10 (2) the location of the combined polling place
11 adequately serves the voters of the combined precinct.

12 (d) [~~(c)~~] A combined precinct under Subsection (c) [~~this~~
13 ~~section~~] may not contain more than 10,000 registered voters.

14 (e) [~~(d)~~] A combined precinct may not be established if it:

15 (1) results in a dilution of voting strength of a group
16 covered by the federal Voting Rights Act (42 U.S.C. Section 1973c et
17 seq.);

18 (2) results in a dilution of representation of a group
19 covered by the Voting Rights Act in any political or electoral
20 process or procedure; or

21 (3) results in discouraging participation by a group
22 covered by the Voting Rights Act in any political or electoral
23 process or procedure because of the location of a polling place or
24 other factors.

25 (f) For the purposes of appointing a presiding election
26 judge and an alternate presiding judge to a county election
27 precinct combined under this section, the combined precinct shall

1 be considered a single precinct and the judges shall be appointed in
2 accordance with the procedures provided under Chapter 32.

3 SECTION 4. Subchapter A, Chapter 43, Election Code, is
4 amended by adding Section 43.0015 to read as follows:

5 Sec. 43.0015. DESIGNATION OF LOCATION: USE OF EARLY VOTING
6 POLLING PLACE ON ELECTION DAY. The authority responsible for
7 designating polling places under this subchapter shall, at a
8 minimum, designate as locations for polling places on election day:

9 (1) the location designated as the main early voting
10 polling place under Section 85.002;

11 (2) each location designated as a permanent branch
12 polling place under Section 85.061; and

13 (3) each location designated as a temporary branch
14 polling place under Section 85.062.

15 SECTION 5. Section 61.002(a), Election Code, is amended to
16 read as follows:

17 (a) Immediately before opening the polls for voting on the
18 first day of voting at a polling place during early voting or ~~and~~
19 on election day, the presiding election judge or alternate election
20 judge shall confirm that each voting machine has any public counter
21 reset to zero and shall print the tape that shows the counter was
22 set to zero for each candidate or measure on the ballot.

23 SECTION 6. Section 62.005, Election Code, is amended to
24 read as follows:

25 Sec. 62.005. EXAMINING BALLOT BOXES. On the first day of
26 voting at a polling place during early voting or on election day, an
27 ~~An~~ election officer shall open and examine the ballot boxes and

1 remove any contents from the boxes.

2 SECTION 7. Section 65.002(a), Election Code, is amended to
3 read as follows:

4 (a) Subject to Subsection (b), the presiding judge may
5 direct the counting of ballots to occur on election day at any time
6 after the polls have been open for one hour.

7 SECTION 8. Section 65.014(b), Election Code, is amended to
8 read as follows:

9 (b) The returns must state:

10 (1) the total number of voters who voted at the polling
11 place during early voting by personal appearance and on election
12 day as indicated by the poll list; and

13 (2) the total number of votes counted for each
14 candidate and for and against each measure.

15 SECTION 9. Sections 65.016(a) and (b), Election Code, are
16 amended to read as follows:

17 (a) A county that holds or provides election services for an
18 election and maintains an Internet website shall post on its public
19 Internet website for an election of public officials or of a
20 governmental entity authorized by law to impose a tax administered
21 by the county:

22 (1) the results of each election;

23 (2) the total number of votes cast;

24 (3) the total number of votes cast for each candidate
25 or for or against each measure;

26 (4) the total number of votes cast for each candidate
27 or for or against each measure at each polling location;

1 (5) the total number of votes cast by personal
2 appearance [~~on election day~~];

3 (6) [~~(5)~~] the total number of votes cast by personal
4 appearance or mail [~~during the early voting period~~]; and

5 (7) [~~(6)~~] the total number of counted and uncounted
6 provisional ballots cast.

7 (b) A city or independent school district that holds an
8 election and maintains an Internet website shall post on its public
9 Internet website for the city or independent school district, as
10 applicable:

11 (1) the results of each election;

12 (2) the total number of votes cast;

13 (3) the total number of votes cast for each candidate
14 or for or against each measure;

15 (4) the total number of votes cast for each candidate
16 or for or against each measure at each polling location;

17 (5) the total number of votes cast by personal
18 appearance [~~on election day~~];

19 (6) [~~(5)~~] the total number of votes cast by [~~personal~~
20 ~~appearance or~~] mail [~~during the early voting period~~]; and

21 (7) [~~(6)~~] the total number of counted and uncounted
22 provisional ballots cast.

23 SECTION 10. The heading to Section 66.0021, Election Code,
24 is amended to read as follows:

25 Sec. 66.0021. [~~ELECTION DAY~~] VOTE TOTAL FOR CERTAIN
26 ELECTIONS.

27 SECTION 11. Section 66.0021(b), Election Code, is amended

1 to read as follows:

2 (b) The general custodian of election records for a primary
3 election or the general election for state and county officers
4 shall maintain a list that states the total number of votes cast in
5 each precinct by personal appearance [~~on election day~~] that is
6 available for public inspection not later than the day after
7 election day.

8 SECTION 12. Sections 67.004(b) and (b-1), Election Code,
9 are amended to read as follows:

10 (b) The canvassing authority shall prepare a tabulation
11 stating for each candidate and for and against each measure:

12 (1) the total number of votes received in each
13 precinct; [~~and~~]

14 (2) the total number of votes received in each polling
15 location; and

16 (3) the sum of the precinct totals tabulated under
17 Subdivision (1).

18 (b-1) The tabulation in Subsection (b) must also include for
19 each precinct and for each polling location the total number of
20 voters who cast a ballot for a candidate or for or against a measure
21 in the election. The secretary of state shall prescribe any
22 procedures necessary to implement this subsection.

23 SECTION 13. Section 67.017(a), Election Code, is amended to
24 read as follows:

25 (a) After each election for a statewide office or the office
26 of United States representative, state senator, or state
27 representative, a district office, a county office, or a precinct

1 office, the county clerk shall prepare a report of the number of
2 votes, including [~~early voting~~] votes cast by mail and [~~early~~
3 ~~voting votes cast~~] by personal appearance, received in each county
4 election precinct and in each polling location for each candidate
5 for each of those offices. In a presidential election year, the
6 report must include the number of votes received in each precinct
7 and in each polling location for each set of candidates for
8 president and vice-president of the United States.

9 SECTION 14. Section 84.032(c), Election Code, is amended to
10 read as follows:

11 (c) An applicant may submit a request [~~after the close of~~
12 ~~early voting by personal appearance~~] by appearing in person and:

13 (1) returning the ballot to be voted by mail to the
14 early voting clerk; or

15 (2) executing an affidavit that the applicant:

16 (A) has not received the ballot to be voted by
17 mail;

18 (B) never requested a ballot to be voted by mail;

19 or

20 (C) received notice of a defect under Section
21 87.0271(b) or (c) or 87.0411(b) or (c).

22 SECTION 15. Sections 85.001(a) and (e), Election Code, are
23 amended to read as follows:

24 (a) The period for early voting by personal appearance
25 begins on the 12th [~~17th~~] day before election day, [~~and~~] continues
26 through the [~~fourth~~] day before election day, and includes
27 Saturdays, Sundays, and holidays, except as otherwise provided by

1 this section.

2 (e) For an election held on the uniform election date in May
3 and any resulting runoff election, the period for early voting by
4 personal appearance begins on the ninth [~~12th~~] day before election
5 day, [~~and~~] continues through the [~~fourth~~] day before election day,
6 and includes Saturdays, Sundays, and holidays.

7 SECTION 16. Sections 85.005(a), (b), and (c), Election
8 Code, are amended to read as follows:

9 (a) Except as provided by Subsection (c), in an election in
10 which a county clerk is the early voting clerk under Section 83.002,
11 early voting by personal appearance at the main early voting
12 polling place shall be conducted on each day [~~weekday~~] of the early
13 voting period [~~that is not a legal state holiday and~~] for a period
14 of at least nine hours, except that voting may not be conducted
15 earlier than 6 a.m. or later than 10 p.m.

16 (b) In an election to which Subsection (a) does not apply,
17 early voting by personal appearance at the main early voting
18 polling place shall be conducted at least nine hours each day
19 [~~weekday~~] of the early voting period [~~that is not a legal state~~
20 ~~holiday~~] unless the territory covered by the election has fewer
21 than 1,000 registered voters. In that case, the voting shall be
22 conducted at least four hours each day. The authority ordering the
23 election, or the county clerk if that person is the early voting
24 clerk, shall determine which hours the voting is to be conducted.

25 (c) Voting in a primary election, [~~or~~] the general election
26 for state and county officers, or a special election ordered by the
27 governor shall be conducted at the main early voting polling place

1 for at least 12 consecutive hours on each [~~weekday~~] of the last four
2 days [~~week~~] of the early voting period except that voting shall be
3 conducted for at least nine consecutive hours on a Sunday[~~, and the~~
4 ~~voting in a special election ordered by the governor shall be~~
5 ~~conducted at the main early voting polling place for at least 12~~
6 ~~consecutive hours on each of the last two days of the early voting~~
7 ~~period~~]. Voting under this subsection may not be conducted earlier
8 than 6 a.m. or later than 10 p.m.

9 SECTION 17. Sections 85.007(a) and (b), Election Code, are
10 amended to read as follows:

11 (a) The election order and the election notice must state:

12 (1) the date that early voting will begin if under
13 Section 85.001(d) the early voting period is to begin later than the
14 prescribed date; and

15 (2) the regular dates and hours that voting will be
16 conducted under Section 85.005(b), including[~~, and~~

17 [~~(3) the dates and hours that~~] voting on Saturday or
18 Sunday [~~is ordered to be conducted under Section 85.006(a)~~].

19 (b) The early voting clerk shall post notice for each
20 election stating the dates and hours that voting on a Saturday or
21 Sunday will [~~is ordered to~~] be conducted [~~under Section 85.006(b)~~].

22 SECTION 18. Section 85.032, Election Code, is amended by
23 amending Subsection (d) and adding Subsection (g) to read as
24 follows:

25 (d) Each custodian shall retain possession of the key
26 entrusted to the custodian until it is delivered to, as applicable,
27 the presiding judge of:

- 1 (1) the central counting station;
- 2 (2) the early voting ballot board; or
- 3 (3) an election day polling place.

4 (g) Voted early voting ballots to be counted manually shall
5 be kept in a separate ballot box from voted early voting ballots to
6 be counted using automatic tabulating equipment.

7 SECTION 19. Section 85.033, Election Code, is amended to
8 read as follows:

9 Sec. 85.033. SECURITY OF VOTING MACHINE. At the close of
10 early voting each day, the early voting clerk shall secure each
11 voting machine used for early voting in the manner prescribed by the
12 secretary of state so that its unauthorized operation is prevented.
13 The clerk shall unsecure the machine before the beginning of
14 [~~early~~] voting the following day.

15 SECTION 20. Section 85.071, Election Code, is amended to
16 read as follows:

17 Sec. 85.071. DELIVERY OF BALLOTS TO MAIN POLLING PLACE. (a)
18 During the period for early voting by personal appearance, the
19 ballots voted at a branch polling place [~~, other than those cast on a~~
20 ~~voting machine,~~] shall be:

21 (1) retained securely at the branch polling place in a
22 locked room accessible only to election officers; or

23 (2) delivered by an election officer or designated law
24 enforcement officer to the main early voting polling place at the
25 close of voting each day.

26 (b) The unvoted ballots at the branch polling place [~~, other~~
27 ~~than voting machine ballots,~~] shall be retained or delivered with

1 the voted ballots of the same ballot style but in a separate locked
2 container.

3 (c) At [~~All voted and unvoted ballots shall be delivered by~~
4 ~~an election officer or designated law enforcement officer to the~~
5 ~~main polling place at~~] the close of early voting [~~on the last day of~~
6 ~~voting~~] at a [~~the~~] branch polling place:

7 (1) unvoted ballots shall be retained or delivered in
8 the manner described by Subsection (b);

9 (2) voted ballots to be counted using automatic
10 tabulating equipment shall be retained or delivered in the manner
11 described by Subsection (a); and

12 (3) voted ballots to be counted manually shall be:

13 (A) delivered by an election officer or
14 designated law enforcement officer to the main early voting polling
15 place; and

16 (B) set aside for subsequent delivery to the
17 early voting ballot board under Section 87.021.

18 (d) At the close of the polls on election day, voted early
19 voting ballots to be counted using automatic tabulating equipment
20 shall be delivered with the ballots voted on election day at the
21 same polling place to the central counting station according to
22 Section 87.129 and the procedures under Subchapter C, Chapter 127.

23 SECTION 21. Section 87.021, Election Code, is amended to
24 read as follows:

25 Sec. 87.021. BALLOTS AND OTHER MATERIALS DELIVERED TO
26 BOARD. The early voting clerk shall deliver to the early voting
27 ballot board:

1 (1) in an election in which regular paper ballots are
2 used for early voting by personal appearance, each ballot box, in
3 accordance with Section 85.032(b), containing the early voting
4 ballots voted by personal appearance to be counted manually and the
5 clerk's key to each box;

6 (2) the jacket envelopes containing the early voting
7 ballots voted by mail, regardless of the ballot type or voting
8 system used;

9 (3) the poll lists prepared in connection with early
10 voting by personal appearance;

11 (4) the list of registered voters used in conducting
12 early voting; and

13 (5) a ballot transmittal form that includes a
14 statement of the number of early voting ballots voted by mail,
15 regardless of the ballot type or voting system used, that are
16 delivered to the early voting ballot board, and in an election in
17 which regular paper ballots are used for early voting by personal
18 appearance, the number of names appearing on the poll lists
19 prepared in connection with early voting by personal appearance.

20 SECTION 22. Section 87.022, Election Code, is amended to
21 read as follows:

22 Sec. 87.022. TIME OF DELIVERY: GENERAL RULE. Except as
23 provided by Section 87.0221 or [7] 87.0222, [~~87.023, or 87.024,~~] the
24 materials shall be delivered to the early voting ballot board under
25 this subchapter during the time the polls are open on election day,
26 or as soon after the polls close as practicable, at the time or
27 times specified by the presiding judge of the board.

1 SECTION 23. Section [87.0241](#)(b), Election Code, is amended
2 to read as follows:

3 (b) The board may not count early voting ballots until:

4 (1) the polls open on election day; or

5 (2) in an election conducted by an authority of a
6 county with a population of 100,000 or more, or conducted jointly
7 with such a county or conducted with such a county through a
8 contract for election services, the fourth day before election day
9 [~~end of the period for early voting by personal appearance~~].

10 SECTION 24. Section [87.103](#), Election Code, is amended to
11 read as follows:

12 Sec. 87.103. COUNTING BALLOTS AND PREPARING RETURNS. (a)
13 The [~~early voting electronic system ballots counted at a central~~
14 ~~counting station, the~~] ballots cast by personal appearance [~~at~~
15 ~~precinct polling places,~~] and the ballots voted by mail shall be
16 tabulated separately and shall be separately reported on the
17 returns.

18 (b) The [~~early voting~~] returns prepared at the central
19 counting station must include any [~~early voting~~] results obtained
20 by the early voting ballot board under Subchapter D.

21 SECTION 25. Section [87.104](#), Election Code, is amended to
22 read as follows:

23 Sec. 87.104. DISPOSITION OF EARLY VOTING BALLOT BOARD
24 RETURNS AND OTHER RECORDS. Returns [~~Early voting returns~~] or other
25 early voting election records to be delivered to the central
26 counting station under Section [87.063](#)(b) [~~or 87.084(b)~~] shall be
27 delivered to the appropriate authorities with the counting station

1 records.

2 SECTION 26. Section [87.1231](#), Election Code, is amended to
3 read as follows:

4 Sec. 87.1231. EARLY VOTING BY MAIL VOTES REPORTED BY
5 PRECINCT. Not later than the time of the local canvass, the early
6 voting clerk shall deliver to the local canvassing authority a
7 report of the total number of early voting votes by mail for each
8 candidate or measure by election precinct. [~~The report may reflect~~
9 ~~the total for votes by mail and the total for votes by personal~~
10 ~~appearance.~~]

11 SECTION 27. Subchapter [G](#), Chapter [87](#), Election Code, is
12 amended by adding Section 87.129 to read as follows:

13 Sec. 87.129. DISPOSITION OF CERTAIN BALLOTS VOTED BY
14 PERSONAL APPEARANCE. Voted early voting ballots retained or
15 delivered to the main early voting polling place under Section
16 [85.071](#)(c)(2) shall be treated as ballots voted on election day at
17 the same polling place for purposes of processing and tabulation
18 under Chapter [65](#).

19 SECTION 28. Section [102.003](#)(b), Election Code, is amended
20 to read as follows:

21 (b) An application must [~~may~~] be submitted [~~after the last~~
22 ~~day of the period for early voting by personal appearance and~~
23 before 5 p.m. on election day.

24 SECTION 29. Section [127.131](#)(a), Election Code, is amended
25 to read as follows:

26 (a) After the automatic counting of ballots [~~for each~~
27 ~~precinct~~] is completed, the presiding judge of the central counting

1 station shall prepare the election returns for each ~~[that]~~ precinct
2 and each polling location and sign the returns to certify their
3 accuracy.

4 SECTION 30. Section 172.124(a), Election Code, is amended
5 to read as follows:

6 (a) For each primary election, the county clerk shall
7 prepare a report of the number of votes ~~[, including early voting~~
8 ~~votes,~~] received in each county election precinct by each candidate
9 for an office, other than a party office, as provided by Section
10 67.017 for the report of precinct results for a general election.

11 SECTION 31. The following provisions of the Election Code
12 are repealed:

- 13 (1) Chapter 103;
- 14 (2) Section 43.007(i);
- 15 (3) Section 85.006;
- 16 (4) Section 85.008;
- 17 (5) Section 85.064(d);
- 18 (6) Section 85.068;
- 19 (7) Section 87.023;
- 20 (8) Section 87.024;
- 21 (9) Section 113.004(c); and
- 22 (10) Section 129.057.

23 SECTION 32. As soon as practicable after the effective date
24 of this Act, but not later than August 1, 2027, the secretary of
25 state shall:

- 26 (1) adopt rules and prescribe procedures required for
27 the implementation of this Act; and

1 (2) publish a report in the Texas Register stating
2 that the secretary:

3 (A) has consulted with county election officials
4 in this state; and

5 (B) is confident that the counties in this state
6 are prepared to implement the provisions of this Act.

7 SECTION 33. The changes in law made by this Act apply only
8 to an election ordered on or after the date the secretary of state
9 publishes the report required by Section 32 of this Act.

10 SECTION 34. This Act takes effect September 1, 2025.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 2753 passed the Senate on May 6, 2025, by the following vote: Yeas 20, Nays 11; May 29, 2025, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 30, 2025, House granted request of the Senate; June 1, 2025, Senate adopted Conference Committee Report by the following vote: Yeas 20, Nays 11.

Secretary of the Senate

I hereby certify that S.B. No. 2753 passed the House, with amendments, on May 28, 2025, by the following vote: Yeas 111, Nays 20, one present not voting; May 30, 2025, House granted request of the Senate for appointment of Conference Committee; June 1, 2025, House adopted Conference Committee Report by the following vote: Yeas 84, Nays 45, three present not voting.

Chief Clerk of the House

Approved:

Date

Governor