

By: Parker

H.B. No. 123

A BILL TO BE ENTITLED

AN ACT

relating to the security of voted ballots.

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

SECTION 1. Subchapter A, Chapter 65, Election Code, is amended by adding Section 65.017 to read as follows:

Sec. 65.017. VIDEO RECORDING OF COUNTING LOCATIONS. (a)

This section applies to:

(1) a primary election;

(2) the general election for state and county officers; and

(3) an election in which the county clerk serves as the early voting clerk.

(b) The general custodian of election records shall implement a video surveillance system that retains a record of all areas containing voted ballots from the time the ballots are delivered to the general custodian of election records until the canvass of precinct election returns. The video recording must be retained in the same manner as a precinct election record under Section 66.058.

(c) Subject to Subsection (e), the general custodian of election records shall provide a live video stream of any activity recorded under Subsection (b) on the Internet website of the authority administering the election.

(d) The secretary of state shall prescribe procedures

1 necessary for the implementation of this section.

2 (e) The general custodian of election records in a county  
3 with a population of less than 100,000 may, but is not required to,  
4 comply with the live video stream requirement under Subsection (c).

5 SECTION 2. Section 31.009, Election Code, is amended by  
6 amending Subsection (b) and adding Subsection (c) to read as  
7 follows:

8 (b) If state funds are made available to provide for the  
9 security of voted ballots under Section 65.017, the secretary of  
10 state shall administer and distribute the funds to counties as  
11 appropriate to most effectively facilitate the purpose for which  
12 the funds are made available.

13 (c) The secretary of state shall prescribe any necessary  
14 rules and take any appropriate action to implement this section.

15 SECTION 3. Subchapter A, Chapter 31, Election Code, is  
16 amended by adding Section 31.0112 to read as follows:

17 Sec. 31.0112. VIDEO RECORDING OF COUNTING LOCATIONS FUND.

18 (a) The video recording of counting locations fund is an account in  
19 the general fund. Money in the account may only be used to  
20 implement Section 65.017.

21 (b) The secretary of state shall establish a grant program  
22 to assist counties with the implementation of Section 65.017.

23 (c) If a federal program makes funding available to this  
24 state for the purpose of video recording of ballot counting  
25 locations, state funds appropriated under this section may be used  
26 to meet any federal matching requirement under the federal program.

27 (d) The fund is exempt from the application of Section

1 [403.095](#), Government Code.

2           SECTION 4. The governing body of a political subdivision is  
3 required to implement a provision of this Act only if the  
4 legislature appropriates money specifically for that purpose. If  
5 the legislature does not appropriate money specifically for that  
6 purpose, the governing body may, but is not required to, implement a  
7 provision of this Act using other appropriations available for that  
8 purpose.

9           SECTION 5. This Act takes effect on the 91st day after the  
10 last day of the legislative session.