

By: Parker

H.B. No. 3698

A BILL TO BE ENTITLED

AN ACT

relating to voting system ballots.

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

SECTION 1. Section 124.062, Election Code, is amended by adding Subsection (d) to read as follows:

(d) Each electronic system ballot must contain a serial number that must be printed before insertion in a ballot marking device, if any. The secretary of state may not waive this requirement.

SECTION 2. Subchapter C, Chapter 124, Election Code, is amended by adding Section 124.067 to read as follows:

Sec. 124.067. APPROVAL OF BALLOT PRINTERS FOR ELECTRONIC VOTING SYSTEM BALLOTS. (a) The secretary of state shall approve printers of paper ballots for use with specific electronic voting systems.

(b) In addition to the requirements of Section 51.013, each person who prints ballots for use with electronic voting systems shall submit satisfactory evidence to the secretary of state that ballots printed by them are accurately read and tabulated by all electronic voting systems for which approval is sought under Subsection (a).

(c) The secretary of state may revoke approval for a printer of paper ballots for use with a specific electronic voting system on sufficient evidence of that printer's inability to produce paper

1 ballots that are consistently read accurately by the specific  
2 electronic voting system.

3 (d) An authority responsible for procuring election  
4 supplies may not use a printer and electronic voting system  
5 combination that is not approved by the secretary of state.

6 (e) The attorney general may obtain injunctive relief to  
7 enforce this section.

8 SECTION 3. Section 125.004, Election Code, is amended by  
9 adding Subsection (c) to read as follows:

10 (c) After installation of the voting system equipment at the  
11 polling place, a report shall be run on each voting machine to  
12 demonstrate that no votes are recorded on the equipment. The  
13 secretary of state may not waive this requirement after September  
14 1, 2022.

15 SECTION 4. Subchapter C, Chapter 125, Election Code, is  
16 amended by adding Section 125.0621 to read as follows:

17 Sec. 125.0621. LOGS OF ISSUED AND SPOILED BALLOTS. If an  
18 electronic voting system uses paper media for recording votes cast,  
19 the election officer shall maintain a record of the serial numbers  
20 of all ballots issued at that polling place and the serial numbers  
21 of any spoiled ballots, if any.

22 SECTION 5. Section 125.063, Election Code, is amended to  
23 read as follows:

24 Sec. 125.063. SECURING EQUIPMENT ON CLOSE OF VOTING. (a)  
25 On the close of voting at each polling place at which electronic  
26 voting system equipment is used, an election officer shall secure  
27 or inactivate the equipment as prescribed by the secretary of state

1 so that its unauthorized operation is prevented.

2 (b) An election officer must generate a paper record of the  
3 number of votes cast for each candidate or measure when using  
4 electronic voting system equipment that does not generate a  
5 voter-verified paper ballot record, except during early voting.  
6 The secretary of state may not waive this requirement after  
7 September 1, 2022.

8 SECTION 6. This Act takes effect September 1, 2021.