

By: Paxton, Hall, Schwertner

S.B. No. 1236

A BILL TO BE ENTITLED

AN ACT

relating to prohibited suspension of laws governing elections.

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

SECTION 1. Section 1.002, Election Code, is amended by adding Subsection (c) to read as follows:

(c) For purposes of a state of disaster declared under Chapter 418, Government Code:

(1) this code is not considered a regulatory statute;

and

(2) a provision of this code may not be suspended.

SECTION 2. Chapter 1, Election Code, is amended by adding Section 1.022 to read as follows:

Sec. 1.022. PROHIBITION ON ACTS AFFECTING ELECTIONS. (a)

In this section:

(1) "Government agency" means:

(A) this state or a municipality or other political subdivision of this state; and

(B) any agency of this state or a municipality or other political subdivision of this state, including a department, bureau, board, commission, office, agency, council, or public institution of higher education.

(2) "Public official" means any elected or appointed officer, employee, or agent of this state, a government agency, or any other public body established by state law.

1        (b) A government agency or public official may not issue an  
2 order that suspends or waives a provision of this code.

3        SECTION 3. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2021.