

By: Swanson

H.B. No. 246

A BILL TO BE ENTITLED

AN ACT

relating to a pilot program for recording activity at a ballot counting station.

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 BALLOT COUNTING. (a) The secretary of state shall establish a pilot program requiring a county to use a video recording device to record ballot counting activity in not less than 20 percent of precincts in the county.

(b) The secretary of state shall select six counties to take part in the pilot program, including:

(1) two counties with a population of not less than 500,000;

(2) two counties with a population of not less than 50,000 and not more than 100,000; and

(3) two counties with a population of not more than 5,000.

(c) The secretary of state shall adopt procedures to implement this section, including procedures to determine which counties may participate in the pilot program under this section.

(d) The secretary of state shall operate the pilot program established under this section until January 31, 2025.

(e) Not later than January 31, 2025, the secretary of state

1 shall file a report with the legislature. The report must state:

2 (1) which counties participated in the pilot program;

3 (2) the number of precincts that recorded video;

4 (3) any best practices for placement and use of the  
5 video recording devices, including:

6 (A) best angles for visibility;

7 (B) best distance between device and counting  
8 station; and

9 (C) best devices for clarity; and

10 (4) any other information and recommendations  
11 considered necessary by the secretary of state.

12 (f) This section expires January 31, 2025.

13 SECTION 2. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2023.