

AN ACT

relating to the administration of and procedures relating to early voting by personal appearance.

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

SECTION 1. 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) ~~[(1)]~~ implementation of the National Voter Registration Act of 1993 (52 U.S.C. Section 20501 et seq.) ~~[(42 U.S.C. Section 1973gg et seq.)]~~;

(B) ~~[(2)]~~ complying with ~~[the]~~ weekly updating requirements ~~[prescribed by Section 18.063]~~; and

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

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

SECTION 2. Section 85.005(c), Election Code, is amended to

1 read as follows:

2 (c) Voting [~~In a county with a population of 55,000 or more,~~  
3 ~~the voting~~] in a primary election or the general election for state  
4 and county officers shall be conducted at the main early voting  
5 polling place for at least 12 consecutive hours on each weekday of  
6 the last week of the early voting period, and the voting in a  
7 special election ordered by the governor shall be conducted at the  
8 main early voting polling place for at least 12 consecutive hours on  
9 each of the last two days of the early voting period. Voting under  
10 this subsection may not be conducted earlier than 6 a.m. or later  
11 than 10 p.m. [~~Voting shall be conducted in accordance with this~~  
12 ~~subsection in those elections in a county with a population under~~  
13 ~~55,000 on receipt by the early voting clerk of a written request for~~  
14 ~~the extended hours submitted by at least 15 registered voters of the~~  
15 ~~county. The request must be submitted in time to enable compliance~~  
16 ~~with Section 85.067.~~]

17 SECTION 3. Section 85.006(e), Election Code, is amended to  
18 read as follows:

19 (e) In a primary election or the general election for state  
20 and county officers [~~in a county with a population of 55,000 or~~  
21 ~~more~~], the early voting clerk shall order voting by personal  
22 appearance at the main early voting polling place to be conducted on  
23 the last Saturday of the early voting period for at least 12  
24 consecutive hours, except that voting may not be conducted earlier  
25 than 6 a.m. or later than 10 p.m., and on the last Sunday of the  
26 early voting period for at least six consecutive hours, except that  
27 voting may not be conducted earlier than 9 a.m. or later than 10

1 p.m. [~~The early voting clerk shall order voting to be conducted at~~  
2 ~~those times in those elections in a county with a population under~~  
3 ~~55,000 on receipt of a written request for those hours submitted by~~  
4 ~~at least 15 registered voters of the county. The request must be~~  
5 ~~submitted in time to enable compliance with Section 85.007.~~] This  
6 subsection supersedes any provision of this subchapter to the  
7 extent of any conflict.

8 SECTION 4. The heading to Section 85.064, Election Code, is  
9 amended to read as follows:

10 Sec. 85.064. DAYS AND HOURS FOR VOTING: TEMPORARY BRANCH  
11 [~~IN POPULOUS COUNTY~~].

12 SECTION 5. Section 85.064(d), Election Code, is amended to  
13 read as follows:

14 (d) The authority authorized under Section 85.006 to order  
15 early voting on a Saturday or Sunday may also order, in the manner  
16 prescribed by that section, early voting to be conducted on a  
17 Saturday or Sunday at any one or more of the temporary branch  
18 polling places. In addition, the early voting clerk [~~of a county~~  
19 ~~covered by Section 85.006(e)~~] shall order such voting in accordance  
20 with Section 85.006(e) [~~that subsection~~] at each temporary branch  
21 polling place established under Section 85.062(d).

22 SECTION 6. Section 85.068(a), Election Code, is amended to  
23 read as follows:

24 (a) The early voting clerk shall post notice for each  
25 election stating any dates and the hours that voting on Saturday or  
26 Sunday will be conducted under Section 85.064(d) [~~or 85.065(b)~~], if  
27 the early voting clerk is a county clerk or city secretary under

1 Section 83.002 or 83.005.

2 SECTION 7. The following provisions of the Election Code  
3 are repealed:

4 (1) Section 85.064(a); and

5 (2) Section 85.065.

6 SECTION 8. The changes in law made by this Act apply only to  
7 an election for which early voting begins on or after the effective  
8 date of this Act.

9 SECTION 9. This Act takes effect September 1, 2023.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1217 was passed by the House on May 6, 2023, by the following vote: Yeas 131, Nays 3, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1217 on May 24, 2023, by the following vote: Yeas 128, Nays 16, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1217 was passed by the Senate, with amendments, on May 19, 2023, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor