

By: Swanson

H.B. No. 1217

A BILL TO BE ENTITLED

AN ACT

relating to the hours during which early voting by personal appearance is conducted.

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

SECTION 1. Section 85.005(c), Election Code, is amended to read as follows:

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

SECTION 2. Section 85.006(e), Election Code, is amended to read as follows:

(e) In a primary election or the general election for state and county officers [~~in a county with a population of 55,000 or~~

1 ~~more~~], the early voting clerk shall order voting by personal  
2 appearance at the main early voting polling place to be conducted on  
3 the last Saturday of the early voting period for at least 12 hours,  
4 except that voting may not be conducted earlier than 6 a.m. or later  
5 than 10 p.m., and on the last Sunday of the early voting period for  
6 at least six hours, except that voting may not be conducted earlier  
7 than 9 a.m. or later than 10 p.m. [~~The early voting clerk shall~~  
8 ~~order voting to be conducted at those times in those elections in a~~  
9 ~~county with a population under 55,000 on receipt of a written~~  
10 ~~request for those hours submitted by at least 15 registered voters~~  
11 ~~of the county. The request must be submitted in time to enable~~  
12 ~~compliance with Section 85.007.~~] This subsection supersedes any  
13 provision of this subchapter to the extent of any conflict.

14 SECTION 3. The heading to Section 85.064, Election Code, is  
15 amended to read as follows:

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

18 SECTION 4. Section 85.064(d), Election Code, is amended to  
19 read as follows:

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

1           SECTION 5. Section 85.068(a), Election Code, is amended to  
2 read as follows:

3           (a) The early voting clerk shall post notice for each  
4 election stating any dates and the hours that voting on Saturday or  
5 Sunday will be conducted under Section 85.064(d) [~~or 85.065(b)~~], if  
6 the early voting clerk is a county clerk or city secretary under  
7 Section 83.002 or 83.005.

8           SECTION 6. The following provisions of the Election Code  
9 are repealed:

- 10                   (1) Section 85.064(a); and  
11                   (2) Section 85.065.

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

15           SECTION 8. This Act takes effect September 1, 2023.