

By: Schofield

H.B. No. 4314

A BILL TO BE ENTITLED

AN ACT

relating to a tribunal declaring an election void.

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

SECTION 1. Chapter 221, Election Code, is amended by adding Section 221.0115 to read as follows:

Sec. 221.0115. NUMBER OF ILLEGAL VOTES. (a) The tribunal hearing an election contest shall declare an election void if the tribunal determines the number of illegal votes is equal to or greater than the number of votes necessary to change the outcome of an election.

(b) The tribunal may declare an election void under Subsection (a) without attempting to determine how individual voters voted.

SECTION 2. Section 221.009(b), Election Code, is repealed.

SECTION 3. The change in law made by this Act applies only to an election contest filed on or after the effective date of this Act. An election contest filed before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2023.