

By: Hayes

H.B. No. 4401

A BILL TO BE ENTITLED

AN ACT

relating to notice requirements for a public test of logic and accuracy of a voting system.

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

SECTION 1. Section 129.023, Election Code, is amended by amending Subsection (b-2) and adding Subsections (b-3) and (b-4) to read as follows:

(b-2) If the test is being conducted for an election in which a county election board has been established under Section 51.002, the general custodian of election records shall notify each member of the county election board of the test at least 48 hours before the date of the test. If the county election board chooses to witness the test, each member shall sign the statement required by Subsection (e)(1).

(b-3) The general custodian of election records shall reschedule a logic and accuracy test if the test cannot be conducted within one hour of the time on the notice published under Subsection (b). The test must be rescheduled no sooner than four hours after the time on the notice published under Subsection (b). Notice of a test rescheduled under this section must be published at least four hours before the test begins in the manner provided by Subsection (b) and by Subsections (b-1) and (b-2), if applicable. If a rescheduled test cannot begin within one hour of the time on the most recent notice of the test provided under this subsection, the

1 test must again be rescheduled in the manner provided by this
2 subsection.

3 (b-4) A logic and accuracy test conducted under this section
4 may not begin at any time before or later than one hour after the
5 published time on the most recent notice of the test provided under
6 this section.

7 SECTION 2. This Act takes effect September 1, 2023.