

By: Toth

H.B. No. 4547

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of paper ballots and certain electronic devices
3 in conducting an election.

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

5 SECTION 1. Section 63.002(d), Election Code, is amended to
6 read as follows:

7 (d) A [~~The~~] signature roster [~~may be~~] in the form of an
8 electronic device may not be used in an election [~~approved by the~~
9 ~~secretary of state that is capable of capturing a voter's signature~~
10 ~~next to the voter's name on the device. The secretary of state shall~~
11 ~~adopt rules governing the processing of electronic signatures~~
12 ~~captured under this subsection~~].

13 SECTION 2. Section 63.003(d), Election Code, is amended to
14 read as follows:

15 (d) A [~~The~~] poll list [~~may be~~] in the form of an electronic
16 device may not be used in an election [~~approved by the secretary of~~
17 ~~state. The secretary of state shall adopt rules governing the use~~
18 ~~of electronic poll lists~~].

19 SECTION 3. Section 63.004(e), Election Code, is amended to
20 read as follows:

21 (e) A combination form [~~may be~~] in the form of an electronic
22 device may not be used in an election [~~approved by the secretary of~~
23 ~~state. The secretary of state shall adopt rules governing the~~
24 ~~minimum requirements and approval of an electronic device used for~~

1 ~~any form used in connection with the acceptance of voters at a~~
2 ~~polling place].~~

3 SECTION 4. Subchapter A, Chapter 125, Election Code, is
4 amended by adding Section 125.0071 to read as follows:

5 Sec. 125.0071. PROVISION OF PAPER BALLOT. An election
6 officer at a polling place where an electronic voting system is used
7 must provide a paper ballot to each voter who requests one. A paper
8 ballot provided under this section must be printed at the time the
9 request is made and, after being voted by the voter, must be scanned
10 at the polling place with an optical scanner.

11 SECTION 5. Subchapter A, Chapter 125, Election Code, is
12 amended by adding Section 125.011 to read as follows:

13 Sec. 125.011. USE OF BALLOT MARKING DEVICE. A voting system
14 that consists of a ballot marking device may not be used in an
15 election.

16 SECTION 6. Section 31.014, Election Code, is repealed.

17 SECTION 7. The changes in law made by this Act apply only to
18 an election held on or after the effective date of this Act. An
19 election held before the effective date of this Act is governed by
20 the law in effect when the election was held, and that law is
21 continued in effect for that purpose.

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