

By: Smith

H.B. No. 4782

A BILL TO BE ENTITLED

AN ACT

relating to electioneering conducted near a polling place.

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

SECTION 1. Subchapter A, Chapter 61, Election Code, is amended to read as follows:

Sec. 61.003. ELECTIONEERING AND LOITERING NEAR POLLING PLACE. (a) A person commits an offense if, during the voting period and within 100 feet of an outside door through which a voter may enter the building in which a polling place is located, the person:

(1) loiters; ~~or~~

(2) electioneers for or against any candidate, measure, or political party; or

(3) conducts exit polling.

(a-1) The entity that owns or controls a public building being used as a polling place may not, at any time during the voting period, prohibit electioneering on the building's premises outside of the area described in Subsection (a), but may enact reasonable regulations concerning the time, place, and manner of electioneering.

(b) In this section:

(1) "Electioneering" includes the posting, use, or distribution of political signs or literature. The term does not include the distribution of a notice of a party convention

1 authorized under Section 172.1114.

2 (2) "Conducts exit polling" means any person or
3 persons seeking to communicate with voters exiting the voting
4 site.

5 ~~(2)~~ (3) "Voting period" means the period beginning
6 when the polls open for voting and ending when the polls close or
7 the last voter has voted, whichever is later.

8 (c) An offense under this section is a Class C misdemeanor.

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