

By: Tinderholt

H.B. No. 5231

A BILL TO BE ENTITLED

AN ACT

relating to elimination of the countywide polling place program.

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

SECTION 1. Sections 31.014(a) and (c), Election Code, are amended to read as follows:

(a) The secretary of state shall prescribe specific requirements and standards, consistent with this code, for the certification of an electronic device used to accept voters under Chapter 63 that require the device to:

(1) produce an electronic copy of the list of voters who were accepted to vote for delivery to the election judge after the polls close;

(2) display the voter's original signature in accordance with Section 63.002;

(3) accept a voter for voting even when the device is off-line;

(4) provide the full list of voters registered in the county with an indication of the jurisdictional or distinguishing number for each territorial unit in which each voter resides;

(5) time-stamp when each voter is accepted at a polling place, including the voter's unique identifier;

(6) if the county [~~participates in the countywide polling place program under Section 43.007 or~~] has more than one early voting polling place, transmit a time stamp when each voter is

1 accepted, including the voter's unique identifier, to all polling  
2 place locations;

3 (7) time-stamp the receipt of a transmission under  
4 Subdivision (6); and

5 (8) produce in an electronic format compatible with  
6 the statewide voter registration list under Section 18.061 data for  
7 retention and transfer that includes:

8 (A) the polling location in which the device was  
9 used;

10 (B) the dated time stamp under Subdivision (5);  
11 and

12 (C) the dated time stamp under Subdivision (7).

13 (c) The secretary of state shall adopt rules that require a  
14 device described by this section used during the early voting  
15 period [~~or under the countywide polling place program under Section~~  
16 ~~43.007~~] to update data in real time. If a county uses a device that  
17 does not comply with the rule in two consecutive general elections  
18 for state and county officers, the secretary of state shall assess a  
19 noncompliance fee. The noncompliance fee shall be set at an amount  
20 determined by secretary of state rule.

21 SECTION 2. Section 32.0511(d), Election Code, is amended to  
22 read as follows:

23 (d) Not more than two student election clerks may serve at a  
24 polling place[~~, except that not more than four student election~~  
25 ~~clerks may serve at any countywide polling place].~~

26 SECTION 3. The following provisions of the Election Code  
27 are repealed:

1           (1) Section 32.002(c-1);

2           (2) Section 43.004(c);

3           (3) Section 43.007; and

4           (4) Section 85.062(f-1).

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