

By: Guillen

H.B. No. 521

Substitute the following for H.B. No. 521:

By: Shaheen

C.S.H.B. No. 521

A BILL TO BE ENTITLED

AN ACT

relating to accommodating voters with a disability; creating a criminal offense.

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

SECTION 1. Section 61.003(a), Election Code, is amended to read as follows:

(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 or within 20 feet of a parking space designated for curbside voting under Section 64.009, the person:

(1) loiters; or

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

SECTION 2. Section 64.009, Election Code, is amended by amending Subsections (a), (a-1), (f), (g), and (h) and adding Subsections (a-3), (a-4), (a-5), (i), and (j) to read as follows:

(a) Subject to Subsection (a-5), if ~~if~~ a voter is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health, on the voter's request, an election officer shall deliver a ballot to the voter at the polling place entrance or curb.

(a-1) At each polling place an area for parking not smaller than the size of one parking space shall be reserved for voting

under this section. The area may not be designated specifically for persons with disabilities. The area must be clearly marked with a sign:

(1) indicating that the space is reserved for use by a voter who is unable to enter the polling place; ~~and~~

(2) displaying, in large font that is clearly readable from a vehicle, a telephone number that a voter may call or text to request assistance from an election officer at the polling place; and

(3) displaying, in large font that is clearly readable from a vehicle, that electioneering is prohibited within 20 feet of the parking space.

(a-3) Before an election officer may deliver a ballot to a voter under Subsection (a), the voter must complete and sign a form, provided by the election officer, that contains the following statement: "I swear (or affirm) under penalty of perjury that I am physically unable to enter the polling place without personal assistance or likelihood of injuring my health, or I am requesting a reasonable accommodation under Section 1.022, Election Code. Therefore, I am requesting to vote outside the polling place."

(a-4) Except as provided by Subchapter B, an election officer who delivers a ballot to the voter at the polling place entrance or curb may not provide assistance in marking the ballot.

(a-5) If four or more election officers are present at the polling place, two election officers shall deliver a ballot to the voter at the polling place entrance or curb.

(f) A person who, during the early voting period and on

1 election day, [~~simultaneously~~] assists seven or more voters voting  
2 under this section by providing the voters with transportation to  
3 the polling place must complete and sign a form, provided by an  
4 election officer, that contains the person's name and address and  
5 whether the person is providing assistance solely under this  
6 section or under both this section and Subchapter B.

7 (g) A form completed under Subsection (a-3) or (f) shall be  
8 delivered to the secretary of state as soon as practicable. The  
9 secretary shall retain a form delivered under this section for the  
10 period for preserving the precinct election records and shall make  
11 the form available to the attorney general for inspection upon  
12 request.

13 (h) The secretary of state shall prescribe the forms and  
14 process required by this section and adopt rules necessary to  
15 implement this section [~~form described by Subsection (f)~~].

16 (i) A person commits an offense if the person knowingly  
17 fails to complete the form required by Subsection (f).

18 (j) An offense under this section is a Class A misdemeanor.

19 SECTION 3. Section 64.0322, Election Code, is amended by  
20 amending Subsection (a) and adding Subsection (c) to read as  
21 follows:

22 (a) A person[~~, other than an election officer,~~] who assists  
23 a voter in accordance with this chapter is required to complete a  
24 form stating:

25 (1) the name and address of the person assisting the  
26 voter;

27 (2) the relationship to the voter of the person

1 assisting the voter; and

2 (3) whether the person assisting the voter received or  
3 accepted any form of compensation or other benefit from a  
4 candidate, campaign, or political committee.

5 (c) Not later than the 30th day after the date of the  
6 election, the county clerk shall report to the secretary of state  
7 information regarding any individual who assisted a total of seven  
8 or more voters during the early voting period and on election day.

9 SECTION 4. Section 85.036(a), Election Code, is amended to  
10 read as follows:

11 (a) During the time an early voting polling place is open  
12 for the conduct of early voting, a person may not electioneer for or  
13 against any candidate, measure, or political party:

14 (1) in or within 100 feet of an outside door through  
15 which a voter may enter the building or structure in which the early  
16 voting polling place is located; or

17 (2) within 20 feet of a parking space designated for  
18 curbside voting under Section 64.009.

19 SECTION 5. This Act takes effect September 1, 2025.