

By: Denny

H.B. No. 2155

A BILL TO BE ENTITLED

AN ACT

relating to the use of mobile telephones in a polling place.

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

SECTION 1. Section 33.051(c), Election Code, is amended to read as follows:

(c) A watcher may not be accepted for service if the watcher has possession of any mechanical or electronic means of recording images or sound. The presiding judge may inquire whether a watcher has possession of any prohibited recording device before accepting the watcher for service. This subsection does not prohibit a watcher from having possession of a mobile telephone.

SECTION 2. Subchapter C, Chapter 33, Election Code, is amended by adding Section 33.062 to read as follows:

Sec. 33.062. USE OF MOBILE TELEPHONE. A watcher may use a mobile telephone as provided by Section 61.012 without the prior consent of the presiding judge.

SECTION 3. Subchapter A, Chapter 61, Election Code, is amended by adding Section 61.012 to read as follows:

Sec. 61.012. USE OF MOBILE TELEPHONE. (a) A person who is lawfully in a polling place may use a mobile telephone in a nondisruptive manner.

(b) The presiding judge may require a person using a mobile telephone to leave the polling place if the person is using the telephone in a disruptive manner.

1 SECTION 4. This Act takes effect September 1, 2003.