

By: Jones of Dallas

H.B. No. 719

A BILL TO BE ENTITLED

AN ACT

relating to publicizing a list of voters' rights.

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

SECTION 1. Section 31.0055(b), Election Code, is amended to read as follows:

(b) A notice informing voters of the telephone number and the purpose for the number shall be included in the notice of voters' rights publicized under Section 62.0115 ~~[continuously posted in a prominent location at each polling place during the early voting period and on election day for each election held on a uniform election date. The secretary of state shall prescribe the form for the notice under this subsection]~~.

SECTION 2. Chapter 62, Election Code, is amended by adding Section 62.0115 to read as follows:

Sec. 62.0115. PUBLIC NOTICE OF VOTERS' RIGHTS. (a) The secretary of state shall adopt rules providing for publicizing voters' rights as prescribed by this section. The rules must require that a notice of those rights be publicized:

(1) by being posted by an election officer in a prominent location at each polling place;

(2) on the Internet website of the secretary of state;

(3) through material published by the secretary of state; or

(4) in another manner designed to give voters notice

1 of their rights.

2 (b) Except as revised by the secretary of state under
3 Subsection (d), the notice must state that a voter has the right to:

4 (1) receive a ballot with written instructions on how
5 to cast a ballot, if the ballot is a paper ballot or an electronic
6 system ballot on which a voter indicates a vote by punching a hole
7 in the ballot;

8 (2) vote in secret and free from intimidation;

9 (3) receive up to two additional ballots if the voter
10 mismarks, damages, or otherwise spoils a ballot;

11 (4) request instructions on how to cast a ballot, but
12 not to receive suggestions on how to vote;

13 (5) bring an interpreter to translate the ballot and
14 any instructions from election officials;

15 (6) receive assistance in casting the ballot if the
16 voter:

17 (A) has a physical disability that renders the
18 voter unable to write or see; or

19 (B) cannot read the language in which the ballot
20 is written;

21 (7) cast a ballot on executing an affidavit as
22 provided by law, if the voter's eligibility to vote is questioned;

23 (8) report an existing or potential abuse of voting
24 rights to the secretary of state or the local election official; and

25 (9) except as provided by Section 85.066(b), Election
26 Code, vote at any early voting location in the county in which the
27 voter resides in an election held at county expense, a primary

1 election, or a special election ordered by the governor.

2 (c) The notice must also state:

3 (1) the information relating to the voting rights
4 hotline required under Section 31.0055; and

5 (2) any other information that the secretary of state
6 considers important for a voter to know.

7 (d) The secretary of state shall prescribe the form and
8 content of the notice in accordance with this section. The
9 secretary of state shall revise the content of the notice as
10 necessary to ensure that the notice accurately reflects the law in
11 effect at the time the notice is publicized.

12 SECTION 3. This Act applies only to an election ordered on
13 or after September 1, 2005.

14 SECTION 4. This Act takes effect September 1, 2005.