

By: Denny

H.B. No. 1349

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. 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 61.013 without the prior consent of the presiding judge.

SECTION 2. Subchapter A, Chapter 61, Election Code, is amended by adding Section 61.013 to read as follows:

Sec. 61.013. USE OF MOBILE TELEPHONE. (a) A person who is lawfully in a polling place may use a mobile telephone in a nondisruptive manner, except that the person may not use a mobile telephone to record photographic images in the polling place.

(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.

SECTION 3. This Act takes effect September 1, 2005.