

By: Rodriguez

H.B. No. 3383

A BILL TO BE ENTITLED

AN ACT

relating to the process for the approval of voting systems.

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

SECTION 1. PUBLIC ACCESS TO CERTIFICATION PROCESS. Chapter 122, Section 122.036, Election Code, is amended to read as follows:

(a) ~~[The examiners shall examine the voting system or voting system equipment for which an application has been submitted at the time and in the manner directed by the secretary of state.]~~

Certification examination, recertification examination and modification examination of voting systems shall be conducted in accordance with Government Code Chapter 551, Open Meetings Act, and an audio-video recording of each examination shall be created and made available to the public upon request.

(b) After conducting the examination, each examiner shall prepare a written report on the examination as directed by the secretary and deliver the report to the secretary.

(c) The secretary shall provide notice of all proposed certification decisions in accordance with Section 2001.023, Government Code, and accept public comment in accordance with Section 2001.029, Section 2001.030, Section 2001.031, Section 2001.033, and Section 2001.034, Government Code. A certification is voidable if not approved in substantial compliance with these Subsections, pursuant to procedures and standards set out in Section 2001.035, Government Code.

1           SECTION 2.   This Act takes effect September 1, 2005.