

1-1 By: Keffer (Senate Sponsor - Eltife) H.B. No. 1921
1-2 (In the Senate - Received from the House April 26, 2007;
1-3 May 1, 2007, read first time and referred to Committee on State
1-4 Affairs; May 15, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
1-6 May 15, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1921 By: Jackson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the use of certain devices in a polling place.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter A, Chapter 61, Election Code, is
1-13 amended by adding Section 61.013 to read as follows:

1-14 Sec. 61.013. USE OF CERTAIN DEVICES. (a) A person may not
1-15 use a wireless communication device within 100 feet of a voting
1-16 station.

1-17 (b) A person may not use any mechanical or electronic means
1-18 of recording images or sound within 100 feet of a voting station.

1-19 (c) The presiding judge may require a person who violates
1-20 this section to turn off the device or to leave the polling place.

1-21 (d) This section does not apply to:

1-22 (1) an election officer in conducting the officer's
1-23 official duties; or

1-24 (2) the use of election equipment necessary for the
1-25 conduct of the election.

1-26 SECTION 2. Chapter 62, Election Code, is amended by adding
1-27 Section 62.0111 to read as follows:

1-28 Sec. 62.0111. NOTICE OF PROHIBITION OF CERTAIN DEVICES.

1-29 (a) At the discretion of the presiding judge, notice of the
1-30 prohibition of the use of certain devices under Section 61.013 may
1-31 be posted at one or more locations in the polling place where it can
1-32 be read by persons waiting to vote.

1-33 (b) The secretary of state shall prescribe the wording of a
1-34 notice posted under this section.

1-35 SECTION 3. Section 33.052, Election Code, is amended to
1-36 read as follows:

1-37 Sec. 33.052. HOURS OF SERVICE AT PRECINCT POLLING PLACE.

1-38 (a) A watcher at a precinct polling place may begin service at any
1-39 time after the presiding judge arrives at the polling place on
1-40 election day and may remain at the polling place until the presiding
1-41 judge and the clerks complete their duties there. A watcher that
1-42 serves for more than five continuous hours may serve at the polling
1-43 place during the hours the watcher chooses, except that if the
1-44 watcher is present at the polling place when ballots are counted,
1-45 the watcher may not leave until the counting is complete.

1-46 (b) For purposes of this section, a watcher is considered to
1-47 have served continuously if the watcher leaves the polling place
1-48 for the purpose of using a wireless communication device prohibited
1-49 from use in the polling place under Section 61.013 and the watcher
1-50 promptly returns.

1-51 SECTION 4. This Act takes effect September 1, 2007.

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