

By: Pena, Aliseda, Torres,  
Gonzales of Williamson, Garza

H.B. No. 2050

Substitute the following for H.B. No. 2050:

By: Branch

C.S.H.B. No. 2050

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the use of recording devices and mobile telephones by  
3 poll watchers.

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

5 SECTION 1. Section 33.006(b), Election Code, is amended to  
6 read as follows:

7 (b) A certificate of appointment must:

8 (1) be in writing and signed by the appointing  
9 authority or, for an appointment for a write-in candidate under  
10 Section 33.004, by each of the voters making the appointment;

11 (2) indicate the capacity in which the appointing  
12 authority is acting;

13 (3) state the name, residence address, and voter  
14 registration number of the appointee and be signed by the  
15 appointee;

16 (4) identify the election and the precinct polling  
17 place or other location at which the appointee is to serve; and

18 (5) in an election on a measure, identify the measure  
19 if more than one is to be voted on and state which side of the  
20 measure the appointee represents [~~and~~

21 [~~(6) contain an affidavit executed by the appointee~~  
22 ~~stating that the appointee will not have possession of any~~  
23 ~~mechanical or electronic means of recording images or sound while~~  
24 ~~serving as a watcher]~~.

1 SECTION 2. Section 61.014(d), Election Code, is amended to  
2 read as follows:

3 (d) This section does not apply to:

4 (1) an election officer in conducting the officer's  
5 official duties;

6 (2) the use of election equipment necessary for the  
7 conduct of the election; ~~or~~

8 (3) a person who is employed at the location in which a  
9 polling place is located while the person is acting in the course of  
10 the person's employment; or

11 (4) a poll watcher who, in a manner that does not  
12 disrupt proceedings at or near the voting station and for the  
13 purpose of reporting an irregularity or violation of law relating  
14 to the election, is contacting the authority holding the election,  
15 the secretary of state, the attorney general, or a law enforcement  
16 officer.

17 SECTION 3. Section 33.051(c), Election Code, is repealed.

18 SECTION 4. This Act takes effect September 1, 2011.