

By: Pena

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, for the purpose of reporting an
12 irregularity or violation of law relating to the election, is
13 contacting the authority holding the election, the secretary of
14 state, the attorney general, or a law enforcement officer.

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 Section 33.051(c), Election Code, is repealed.

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