

By: Meyer

H.B. No. 3972

Substitute the following for H.B. No. 3972:

By: Fallon

C.S.H.B. No. 3972

A BILL TO BE ENTITLED

AN ACT

relating to the use of school district buildings as polling place locations.

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

SECTION 1. Subchapter D, Chapter 37, Education Code, is amended by adding Section 37.111 to read as follows:

Sec. 37.111. SECURITY GUIDELINES ESTABLISHED FOR POLLING PLACES LOCATED ON SCHOOL DISTRICT PROPERTY. (a) The board of trustees of a school district shall develop security guidelines for school district property selected for use as a polling place under Section 43.031, Election Code.

(b) In developing guidelines under this section, the board of trustees shall consult with:

(1) the local law enforcement agency with jurisdiction over the school district property selected as a polling place, regarding reasonable security accommodations that may be made to the property; and

(2) the election administrator, regarding any polling place requirements that may affect the security guidelines.

(c) Subsection (b)(1) may not be interpreted to require the board of trustees to obtain or contract for the presence of law enforcement or security personnel for the purpose of securing a polling place located on school district property.

(d) Not later than 48 hours before the first day of voting

1 held at the polling place:

2 (1) the board of trustees must provide security  
3 guidelines to the local law enforcement agency with jurisdiction  
4 over the school district property selected as a polling place; and

5 (2) the board of trustees and the election  
6 administrator must jointly or separately file an affidavit with the  
7 secretary of state confirming security guidelines for the polling  
8 place have been developed.

9 (e) Failure to comply with this section does not affect the  
10 requirement of the board of trustees to make a school facility  
11 available for use as a polling place under Section 43.031, Election  
12 Code.

13 (f) The secretary of state shall prescribe the form of the  
14 affidavit required by this section and adopt rules for the  
15 administration of this section.

16 SECTION 2. This Act takes effect September 1, 2015.