By:  Klick H.B. No. 4539

A BILL TO BE ENTITLED

AN ACT

relating to elections.

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

SECTION 1.  Section 18.069, Election Code, is amended to read as follows:

Sec. 18.069.  VOTING HISTORY. (a) Not later than the 30th day after the date of the primary, runoff primary, or general election or any special election ordered by the governor, the registrar shall electronically submit to the secretary of state the record of each voter participating in the election. The record must include a notation of whether the voter:

(1)  voted on election day;[~~,~~]

(2)  voted early by personal appearance;[~~,~~]

(3)  voted early by mail under Chapter 86;[~~, or~~]

(4)  voted early by mail under Chapter 101; or

(5)  voted provisionally and the reason the voter cast a provisional ballot.

(b)  The secretary of state shall adopt rules to implement this section.

SECTION 2.  Section 33.035, Election Code, is amended to read as follows:

Sec. 33.035.  INELIGIBILITY OF PERSON CONVICTED OF ELECTION OFFENSE.  A person is ineligible to serve as a watcher in an election if the person has been finally convicted of:

(1)  a felony; or

(2)  an offense in connection with conduct directly attributable to an election.

SECTION 3.  Section 61.014(b), Election Code, is amended to read as follows:

(b)  A person may not use any mechanical or electronic means to record [~~of recording~~] images or sound within 100 feet of a voting station except that a person occupying a voting station may use a mechanical or electronic device to photograph the person's completed ballot.

SECTION 4.  Section 62.0111(b), Election Code, is amended to read as follows:

(b)  The secretary of state shall prescribe the wording of a notice posted under this section, which may include a description of the exception provided by Section 61.014(b).

SECTION 5.  Section 85.072, Election Code, is amended by adding Subsection (f) to read as follows:

(f)  The early voting clerk shall provide a current copy of the register for posting on the Internet website of the authority ordering the election, if the authority maintains a website, each day early voting is conducted. At a minimum, the voter registration number for each voter listed in the register must be posted.

SECTION 6.  Title 16, Election Code, is amended by adding Chapter 279 to read as follows:

CHAPTER 279. CYBERSECURITY OF ELECTION SYSTEMS

Sec. 279.001.  DEFINITION. In this chapter, "election data" means voter registration information and other election-related documents, systems, and technology.

Sec. 279.002.  ELECTION CYBERSECURITY: SECRETARY OF STATE.  (a) The secretary of state shall adopt rules establishing best practices for the electronic storage and security of election data.

(b)  The secretary of state shall offer training on best practices:

(1)  on an annual basis, to all appropriate personnel in the secretary of state's office; and

(2)  on request, to county election officers in this state.

(c)  If the secretary of state becomes aware of a breach of cybersecurity that impacts election data, the secretary shall immediately notify the members of the standing committees of each house of the legislature with jurisdiction over elections.

Sec. 279.003.  ELECTION  CYBERSECURITY: VOTER REGISTRARS AND COUNTY CLERKS.  (a) A voter registrar or county clerk shall request training on cybersecurity:

(1)  from the secretary of state; and

(2)  on an annual basis from another provider of cybersecurity training, if the registrar or clerk has available state funds for that purpose.

(b)  If a voter registrar or county clerk becomes aware of a breach of cybersecurity that impacts election data, the registrar or clerk shall immediately notify the secretary of state.

(c)  To the extent that state funds are available for the purpose, a voter registrar or county clerk shall implement endpoint security to ensure that all devices with access to election data comply to the highest extent possible with rules adopted by the secretary of state under Section 279.002.

SECTION 7.  This Act takes effect September 1, 2019.