86R5900 ADM-D

By:  Fallon S.B. No. 445

A BILL TO BE ENTITLED

AN ACT

relating to the use of a mobile phone by a person near a polling place.

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

SECTION 1.  Section 61.014, Election Code, is amended by amending Subsections (a) and (b) and adding Subsection (e) to read as follows:

(a)  Except as otherwise provided by this section, a [~~A~~] person may not use a wireless communication device within 100 feet of a voting station.

(b)  A person may not use any mechanical or electronic means to take photographs, take video, or record [~~of recording images or~~] sound within 100 feet of a voting station.

(e)  A person may use the person's mobile phone to access information.

SECTION 2.  The heading to Section 62.0111, Election Code, is amended to read as follows:

Sec. 62.0111.  NOTICE OF PROHIBITION OF RECORDING [~~CERTAIN DEVICES~~].

SECTION 3.  Section 62.0111(a), Election Code, is amended to read as follows:

(a)  At the discretion of the presiding judge, notice of the prohibition of taking photographs, taking video, or recording sound [~~the use of certain devices~~] under Section 61.014 may be posted at one or more locations in the polling place where it can be read by persons waiting to vote.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.