

By: Israel

H.B. No. 362

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a fund to assist local governments with the acquisition of voting system equipment.

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

SECTION 1. Chapter 123, Election Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. VOTING SYSTEM FUND

Sec. 123.091. DEFINITIONS. In this subchapter:

(1) "Eligible equipment" means voting system equipment that complies with applicable state and federal law on the date it is acquired.

(2) "Fund" means the voting system fund.

Sec. 123.092. VOTING SYSTEM FUND. (a) The voting system fund is an account in the general revenue fund.

(b) The fund consists of money transferred to the fund at the discretion of the legislature.

(c) Money in the fund may be appropriated only for a grant under Section 123.093.

(d) The fund is exempt from the application of Section 403.095, Government Code.

Sec. 123.093. GRANTS FROM FUND. (a) A county or city may apply to the secretary of state for a grant under this subchapter to replace voting system equipment. A county or city is eligible to receive a grant equal to not more than 50 percent of the total cost

1 of the eligible equipment.

2 (b) The secretary of state shall develop criteria for the  
3 fair and proportional distribution of grants that consider:

4 (1) the number of voters likely to be served by the  
5 eligible equipment;

6 (2) the age and condition of any equipment proposed  
7 for replacement;

8 (3) the need for equitable distribution of grant funds  
9 to both rural and urban counties and cities;

10 (4) whether the county or city governing body has  
11 adopted a reasonable long-term plan to address the maintenance,  
12 repair, and eventual replacement needs for the eligible equipment;  
13 and

14 (5) any other factor considered relevant by the  
15 secretary of state.

16 (c) If the total amount requested under qualifying grant  
17 applications exceeds the total amount available for the purpose of  
18 awarding grants, amounts shall be allocated using the criteria  
19 developed by the secretary of state under Subsection (b).

20 Sec. 123.094. APPLICATION FOR GRANT; CERTIFICATION OF  
21 COSTS. (a) To receive a grant under Section 123.093, a county or  
22 city must submit an application to the secretary of state. The  
23 secretary of state shall prescribe a form for the application.

24 (b) The application must describe:

25 (1) the type or types of eligible equipment proposed  
26 for purchase or lease;

27 (2) the expected total cost of the eligible equipment

1 and any sources of funding that will be used for its purchase or  
2 lease in addition to the grant funding provided by this subchapter;

3 (3) the county's or city's plan to address the  
4 long-term maintenance, repair, and eventual replacement costs for  
5 the eligible equipment; and

6 (4) any other information required by the secretary of  
7 state.

8 (c) The secretary of state shall establish:

9 (1) a deadline for receipt of grant applications;

10 (2) a procedure for awarding and distributing grants;

11 and

12 (3) a process for verifying the proper use of the  
13 grants after distribution.

14 SECTION 2. This Act takes effect September 1, 2019.