

1-1 By: Bucy, et al. (Senate Sponsor - Zaffirini) H.B. No. 933
1-2 (In the Senate - Received from the House April 26, 2019;
1-3 April 29, 2019, read first time and referred to Committee on State
1-4 Affairs; May 10, 2019, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 10, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Huffman	X		
1-9	Hughes	X		
1-10	Birdwell	X		
1-11	Creighton	X		
1-12	Fallon	X		
1-13	Hall	X		
1-14	Lucio	X		
1-15	Nelson	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to posting of election information on the secretary of
1-20 state's and each county's Internet website.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 4.003(b), Election Code, is amended to
1-23 read as follows:

1-24 (b) In addition to any other notice given for an election
1-25 under Subsection (a), not later than the 21st day before election
1-26 day, a county ~~[the authority responsible for giving notice of the~~
1-27 ~~election]~~ shall post a copy of a ~~[the]~~ notice of the election given
1-28 by the county or provided to the county under Section 4.008(a),
1-29 which must include the location of each polling place, on the
1-30 county's Internet website. An authority responsible for giving
1-31 notice of an election may post a copy of the notice on the bulletin
1-32 board used for posting notices of the meetings of the governing body
1-33 of the political subdivision that the authority serves. For each
1-34 precinct that is combined to form a consolidated precinct under
1-35 Section 42.008, not later than the 10th day before election day, the
1-36 authority shall also post, at the polling place used in the
1-37 preceding general election, notice of the precinct's consolidation
1-38 and the location of the polling place in the consolidated precinct.
1-39 A notice posted under this subsection must remain posted
1-40 continuously through election day.

1-41 SECTION 2. Section 4.008(a), Election Code, is amended to
1-42 read as follows:

1-43 (a) Except as provided by Subsection (b), the governing body
1-44 of a political subdivision, other than a county, that orders an
1-45 election shall deliver notice of the election, including the
1-46 location of each polling place, to the county clerk and voter
1-47 registrar of each county in which the political subdivision is
1-48 located not later than the 60th day before election day. The county
1-49 clerk shall post notice of the election, including the location of
1-50 each polling place, on the county's Internet website as provided by
1-51 Section 4.003(b).

1-52 SECTION 3. Section 31.012(a), Election Code, as effective
1-53 September 1, 2020, is amended to read as follows:

1-54 (a) The secretary of state and the voter registrar of each
1-55 county ~~[that maintains a website]~~ shall provide notice of the
1-56 identification requirements for voting prescribed by Chapter 63 and
1-57 that straight ticket voting has been eliminated pursuant to H.B.
1-58 25, Acts of the 85th Legislature, Regular Session, 2017, on each
1-59 entity's respective Internet website in each language in which
1-60 voter registration and election materials are available. The
1-61 secretary of state shall prescribe the wording of the notice to be

2-1 included on the Internet websites.

2-2 SECTION 4. Subchapter A, Chapter 31, Election Code, is
2-3 amended by adding Section 31.016 to read as follows:

2-4 Sec. 31.016. VOTING INFORMATION ON SECRETARY OF STATE'S
2-5 WEBSITE. (a) The secretary of state shall prescribe procedures
2-6 requiring the county officer responsible for administering
2-7 elections to submit contact information of the county election
2-8 office to the secretary of state for inclusion on the secretary of
2-9 state's Internet website, including:

- 2-10 (1) the street address and zip code;
2-11 (2) the mailing address if different from the address
2-12 provided in Subdivision (1);
2-13 (3) telephone number;
2-14 (4) facsimile number; and
2-15 (5) e-mail address.

2-16 (b) The secretary of state shall prescribe procedures
2-17 requiring each entity designating the location of a polling place,
2-18 including an early voting polling place, to submit information on
2-19 the location to the secretary of state for inclusion on the
2-20 secretary of state's Internet website.

2-21 (c) For each polling place the information submitted must
2-22 include:

- 2-23 (1) the name of the building in which the polling place
2-24 is located, if available;
2-25 (2) the street address and zip code of the polling
2-26 place; and
2-27 (3) the days and hours of voting at each location.

2-28 (d) The polling information under Subsection (c) shall be
2-29 posted on the secretary of state's Internet website in a
2-30 downloadable format.

2-31 (e) The secretary of state:

- 2-32 (1) may solicit and accept gifts, grants, and
2-33 donations from any public or private source for the creation and
2-34 maintenance of the Internet website; and
2-35 (2) shall adopt rules as necessary to implement this
2-36 section.

2-37 SECTION 5. Subchapter E, Chapter 31, Election Code, is
2-38 amended by adding Section 31.125 to read as follows:

2-39 Sec. 31.125. COUNTY WEBSITE. (a) The county officer
2-40 responsible for administering elections shall post on the county's
2-41 Internet website contact information for the county election office
2-42 including:

- 2-43 (1) the street address and zip code;
2-44 (2) the mailing address if different from the address
2-45 provided in Subdivision (1);
2-46 (3) telephone number;
2-47 (4) facsimile number; and
2-48 (5) e-mail address.

2-49 (b) For each polling place located in the county, the county
2-50 shall post on the county's Internet website:

- 2-51 (1) the name of the building in which the polling place
2-52 is located, if available;
2-53 (2) the street address and zip code of the polling
2-54 place; and
2-55 (3) the days and hours of voting at each location.

2-56 SECTION 6. Section 32.114(c), Election Code, is amended to
2-57 read as follows:

2-58 (c) The county clerk shall:

- 2-59 (1) post a notice of the time and place of each session
2-60 on the county's Internet website and may post the notice on the
2-61 bulletin board used for posting notice of meetings of the
2-62 commissioners court and shall include on the notice a statement
2-63 that the program is open to the public;
2-64 (2) notify each presiding judge appointed by the
2-65 commissioners court of the time and place of each session and of the
2-66 duty of each election judge to complete the training program;
2-67 (3) notify the county chair of each political party in
2-68 the county of the time and place of each session; and
2-69 (4) notify the voter registrar of the date, hour, and

3-1 place of each session.

3-2 SECTION 7. Section 42.035(a), Election Code, is amended to
3-3 read as follows:

3-4 (a) Beginning with the first week following the week in
3-5 which an order changing a county election precinct boundary is
3-6 adopted, the commissioners court shall publish notice of the
3-7 change:

3-8 (1) in a newspaper in the county once a week for three
3-9 consecutive weeks; and

3-10 (2) on the county's Internet website for three
3-11 consecutive weeks.

3-12 SECTION 8. Section 43.061(c), Election Code, is amended to
3-13 read as follows:

3-14 (c) Notice required by Subsection (b) must be given by:

3-15 (1) notifying each candidate whose name appears on the
3-16 ballot in the election or, in the case of an office filled by voters
3-17 of more than one county, notifying the county chair or, for an
3-18 independent candidate, the county judge of the county in which the
3-19 change occurs; or

3-20 (2) posting the notice in a listing used specifically
3-21 to inform the public of changes to the location of a polling place
3-22 on the [any] Internet website that the county clerk maintains to
3-23 provide information on elections held in the county.

3-24 SECTION 9. Section 66.059, Election Code, is amended by
3-25 amending Subsection (b) and adding Subsection (b-1) to read as
3-26 follows:

3-27 (b) If the political subdivision holding the election is not
3-28 a county, the [The] district judge shall post a notice of the date,
3-29 hour, and place for opening the box on the bulletin board used for
3-30 posting notices of the meetings of the governing body of the
3-31 political subdivision served by the general custodian of election
3-32 records. The notice must remain posted continuously for the 24
3-33 hours immediately preceding the hour set for opening the box.

3-34 (b-1) If the political subdivision holding the election is a
3-35 county, the district judge shall post a notice of the date, hour,
3-36 and place for opening the box on the county's Internet website. The
3-37 notice must remain posted continuously for the 24 hours preceding
3-38 the hour set for opening the box.

3-39 SECTION 10. Section 67.012(b), Election Code, is amended to
3-40 read as follows:

3-41 (b) The secretary of state shall post, on the secretary of
3-42 state's Internet website [~~bulletin board used for posting notice of~~
3-43 ~~meetings of state governmental bodies~~], a notice of the date, hour,
3-44 and place of the canvass at least 72 hours before the canvass is
3-45 conducted.

3-46 SECTION 11. Section 85.007(c), Election Code, is amended to
3-47 read as follows:

3-48 (c) Notice under Subsection (b) shall be posted
3-49 continuously for at least 72 hours immediately preceding the first
3-50 hour that the voting to which the notice pertains will be conducted.
3-51 The notice shall be posted on:

3-52 (1) the bulletin board used for posting notice of
3-53 meetings of the [commissioners court if the early voting clerk is
3-54 the county clerk, or of the] city governing body if the early voting
3-55 clerk is the city secretary; or

3-56 (2) the county's Internet website if the early voting
3-57 clerk is the county clerk.

3-58 SECTION 12. Section 85.067(d), Election Code, is amended to
3-59 read as follows:

3-60 (d) The schedule shall be posted on:

3-61 (1) the bulletin board used for posting notice of
3-62 meetings of the governing body of the political subdivision served
3-63 by the authority ordering the election or, if the early voting clerk
3-64 is the [county clerk or] city secretary, meetings of the
3-65 [commissioners court or] city governing body; or

3-66 (2) the county's Internet website if the early voting
3-67 clerk is the county clerk [, as applicable].

3-68 SECTION 13. Section 87.027, Election Code, is amended by
3-69 amending Subsection (k) and adding Subsection (k-1) to read as

4-1 follows:

4-2 (k) Postings required by this section shall be made on the
 4-3 bulletin board used for posting notice of meetings of the
 4-4 ~~[commissioners court, in an election for which the county election~~
 4-5 ~~board is established or a primary election, or of the]~~ governing
 4-6 body of the political subdivision in an election other than an
 4-7 election for which the county election board is established or a
 4-8 primary election [other elections].

4-9 (k-1) Postings required by this section shall be made on the
 4-10 county's Internet website in an election for which the county
 4-11 election board is established or a primary election.

4-12 SECTION 14. Section 129.023(b), Election Code, is amended
 4-13 to read as follows:

4-14 (b) Not later than 48 hours before voting begins on a voting
 4-15 system, the general custodian of election records shall conduct a
 4-16 logic and accuracy test. Public notice of the test must be published
 4-17 on the county's Internet website at least 48 hours before the test
 4-18 begins, and the test must be open to the public.

4-19 SECTION 15. Section 172.113(d), Election Code, is amended
 4-20 to read as follows:

4-21 (d) The authority shall make periodic announcements of the
 4-22 current state of the tabulation, including by posting the
 4-23 announcements on the Internet website of the county~~[, if the county~~
 4-24 ~~maintains a website].~~

4-25 SECTION 16. Section 181.006(k), Election Code, is amended
 4-26 to read as follows:

4-27 (k) The secretary of state shall post a notice of the
 4-28 receipt of a petition on the secretary of state's Internet website
 4-29 and may post the notice on a bulletin board used for posting notice
 4-30 of meetings of state governmental bodies. Any person may challenge
 4-31 the validity of the petition by filing a written statement of the
 4-32 challenge with the secretary of state not later than the fifth day
 4-33 after the date notice is posted. The secretary of state may verify
 4-34 the petition signatures regardless of whether the petition is
 4-35 timely challenged.

4-36 SECTION 17. Section 203.012(c), Election Code, is amended
 4-37 to read as follows:

4-38 (c) The secretary of state shall post, on the secretary of
 4-39 state's Internet website ~~[bulletin board used for posting notice of~~
 4-40 ~~meetings of state governmental bodies]~~, a notice of the date, hour,
 4-41 and place of the canvass at least 24 hours before the canvass is
 4-42 conducted.

4-43 SECTION 18. Section 274.002(c), Election Code, is amended
 4-44 to read as follows:

4-45 (c) The secretary of state shall post on the secretary of
 4-46 state's Internet website and may post on a bulletin board for
 4-47 posting notice of a meeting of a state governmental body a notice of
 4-48 the date, hour, and place of the drawing. The notice must remain
 4-49 posted continuously for 72 hours immediately preceding the
 4-50 scheduled time of the drawing.

4-51 SECTION 19. (a) Not later than September 1, 2019, the
 4-52 secretary of state shall post the information as required by
 4-53 Section 31.016, Election Code, as added by this Act.

4-54 (b) Not later than October 1, 2019, a county that on
 4-55 September 1, 2019, maintains an Internet website shall post
 4-56 information as required by Section 31.125, Election Code, as added
 4-57 by this Act.

4-58 (c) Not later than March 1, 2020, a county that on September
 4-59 1, 2019, does not maintain an Internet website shall post
 4-60 information as required by Section 31.125, Election Code, as added
 4-61 by this Act.

4-62 SECTION 20. This Act takes effect September 1, 2019.

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