

By: Swanson

H.B. No. 4130

A BILL TO BE ENTITLED

1 AN ACT
2 relating to use of an electronic device for accepting voters;
3 authorizing a fee.

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

5 SECTION 1. Subchapter A, Chapter 31, Election Code, is
6 amended by adding Section 31.014 to read as follows:

7 Sec. 31.014. CERTIFICATION OF ELECTRONIC DEVICES TO ACCEPT
8 VOTERS. (a) The secretary of state shall prescribe specific
9 requirements and standards, consistent with this code, for the
10 certification of an electronic device used to accept voters under
11 Chapter 63 that require the device to:

12 (1) produce an electronic copy of the list of voters
13 who were accepted to vote for delivery to the election judge after
14 the polls close;

15 (2) display the voter's original signature;

16 (3) accept a voter for voting even when the device is
17 off-line;

18 (4) provide the full list of voters registered in the
19 county with an indication of the jurisdictional or distinguishing
20 number for each territorial unit in which each voter resides;

21 (5) time-stamp when each voter is accepted at a
22 polling place;

23 (6) if the county participates in the countywide
24 polling place program under Section 43.007 or has more than one

1 early voting polling place, transmit a time stamp when each voter is
2 accepted to all polling place locations; and

3 (7) produce an electronic copy of the logs of each
4 device for delivery to the secretary of state that includes:

5 (A) the polling location in which the device was
6 used; and

7 (B) the dated time stamp for when each voter was
8 accepted associated with the voter's unique identifier.

9 (b) A device described by this section must be certified
10 annually by the secretary of state.

11 (c) The secretary of state shall adopt rules that require a
12 device described by this section used during the early voting
13 period or under the countywide polling place program under Section
14 43.007 to update data in real time. If a county uses a device that
15 does not comply with the rule in two consecutive general elections
16 for state and county officers, the secretary of state shall assess a
17 noncompliance fee. The noncompliance fee shall be set at an amount
18 determined by secretary of state rule.

19 SECTION 2. Section 63.003, Election Code, is amended by
20 adding Subsection (d) to read as follows:

21 (d) The poll list may be in the form of an electronic device
22 approved by the secretary of state. The secretary of state shall
23 adopt rules governing the use of electronic poll lists.

24 SECTION 3. Section 63.004, Election Code, is amended by
25 adding Subsection (e) to read as follows:

26 (e) A combination form may be in the form of an electronic
27 device approved by the secretary of state. The secretary of state

1 shall adopt rules governing the minimum requirements and approval
2 of an electronic device used for any form used in connection with
3 the acceptance of voters at a polling place.

4 SECTION 4. This Act takes effect September 1, 2019.