

1-1 By: Swanson, et al. (Senate Sponsor - Creighton) H.B. No. 4130
1-2 (In the Senate - Received from the House May 13, 2019;
1-3 May 13, 2019, read first time and referred to Committee on State
1-4 Affairs; May 16, 2019, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 16, 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 use of an electronic device for accepting voters;
1-20 authorizing a fee.

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

1-22 SECTION 1. Subchapter A, Chapter 31, Election Code, is
1-23 amended by adding Section 31.014 to read as follows:

1-24 Sec. 31.014. CERTIFICATION OF ELECTRONIC DEVICES TO ACCEPT
1-25 VOTERS. (a) The secretary of state shall prescribe specific
1-26 requirements and standards, consistent with this code, for the
1-27 certification of an electronic device used to accept voters under
1-28 Chapter 63 that require the device to:

1-29 (1) produce an electronic copy of the list of voters
1-30 who were accepted to vote for delivery to the election judge after
1-31 the polls close;

1-32 (2) display the voter's original signature in
1-33 accordance with Section 63.002;

1-34 (3) accept a voter for voting even when the device is
1-35 off-line;

1-36 (4) provide the full list of voters registered in the
1-37 county with an indication of the jurisdictional or distinguishing
1-38 number for each territorial unit in which each voter resides;

1-39 (5) time-stamp when each voter is accepted at a
1-40 polling place, including the voter's unique identifier;

1-41 (6) if the county participates in the countywide
1-42 polling place program under Section 43.007 or has more than one
1-43 early voting polling place, transmit a time stamp when each voter is
1-44 accepted, including the voter's unique identifier, to all polling
1-45 place locations;

1-46 (7) time-stamp the receipt of a transmission under
1-47 Subdivision (6); and

1-48 (8) produce in an electronic format compatible with
1-49 the statewide voter registration list under Section 18.061 data for
1-50 retention and transfer that includes:

1-51 (A) the polling location in which the device was
1-52 used;

1-53 (B) the dated time stamp under Subdivision (5);

1-54 and

1-55 (C) the dated time stamp under Subdivision (7).

1-56 (b) A device described by this section must be certified
1-57 annually by the secretary of state.

1-58 (c) The secretary of state shall adopt rules that require a
1-59 device described by this section used during the early voting
1-60 period or under the countywide polling place program under Section
1-61 43.007 to update data in real time. If a county uses a device that

2-1 does not comply with the rule in two consecutive general elections
2-2 for state and county officers, the secretary of state shall assess a
2-3 noncompliance fee. The noncompliance fee shall be set at an amount
2-4 determined by secretary of state rule.

2-5 SECTION 2. Section 63.003, Election Code, is amended by
2-6 adding Subsection (d) to read as follows:

2-7 (d) The poll list may be in the form of an electronic device
2-8 approved by the secretary of state. The secretary of state shall
2-9 adopt rules governing the use of electronic poll lists.

2-10 SECTION 3. Section 63.004, Election Code, is amended by
2-11 adding Subsection (e) to read as follows:

2-12 (e) A combination form may be in the form of an electronic
2-13 device approved by the secretary of state. The secretary of state
2-14 shall adopt rules governing the minimum requirements and approval
2-15 of an electronic device used for any form used in connection with
2-16 the acceptance of voters at a polling place.

2-17 SECTION 4. This Act takes effect September 1, 2019.

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