By: Klick

H.B. No. 4539

A BILL TO BE ENTITLED

1 AN ACT

2 relating to elections.

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

4 　　SECTION 1.　Section 18.069, Election Code, is amended to

5 read as follows:

6 　　Sec. 18.069.　VOTING HISTORY.　(a) Not later than the 30th

7 day after the date of the primary, runoff primary, or general

8 election or any special election ordered by the governor, the

9 registrar shall electronically submit to the secretary of state the

10 record of each voter participating in the election.　The record must

11 include a notation of whether the voter:

12 　　　　　　(1)　voted on election day;[,]

13 　　　　　　(2)　voted early by personal appearance;[,]

14 　　　　　　(3)　voted early by mail under Chapter 86;[, or]

15 　　　　　　(4)　voted early by mail under Chapter 101; or

16 　　　　　　(5)　voted provisionally and the reason the voter cast

17 a provisional ballot.

18 　　(b)　The secretary of state shall adopt rules to implement

19 this section.

20 　　SECTION 2.　Section 33.035, Election Code, is amended to

21 read as follows:

22 　　Sec. 33.035.　INELIGIBILITY OF PERSON CONVICTED OF ELECTION

23 OFFENSE.　A person is ineligible to serve as a watcher in an

24 election if the person has been finally convicted of:

1

1   (1) a felony; or

2   (2) an offense in connection with conduct directly

3   attributable to an election.

4   SECTION 3. Section 61.014(b), Election Code, is amended to

5   read as follows:

6   (b) A person may not use any mechanical or electronic means

7   to record [of recording] images or sound within 100 feet of a voting

8   station except that a person occupying a voting station may use a

9   mechanical or electronic device to photograph the person's

10   completed ballot.

11   SECTION 4. Section 62.0111(b), Election Code, is amended to

12   read as follows:

13   (b) The secretary of state shall prescribe the wording of a

14   notice posted under this section, which may include a description

15   of the exception provided by Section 61.014(b).

16   SECTION 5. Section 85.072, Election Code, is amended by

17   adding Subsection (f) to read as follows:

18   (f) The early voting clerk shall provide a current copy of

19   the register for posting on the Internet website of the authority

20   ordering the election, if the authority maintains a website, each

21   day early voting is conducted. At a minimum, the voter registration

22   number for each voter listed in the register must be posted.

23   SECTION 6. Title 16, Election Code, is amended by adding

24   Chapter 279 to read as follows:

25   CHAPTER 279. CYBERSECURITY OF ELECTION SYSTEMS

26   Sec. 279.001. DEFINITION. In this chapter, "election data"

27   means voter registration information and other election-related

1 documents, systems, and technology.

2   Sec. 279.002. ELECTION CYBERSECURITY: SECRETARY OF

3 STATE. (a) The secretary of state shall adopt rules establishing

4 best practices for the electronic storage and security of election

5 data.

6   (b) The secretary of state shall offer training on best

7 practices:

8   (1) on an annual basis, to all appropriate personnel

9 in the secretary of state's office; and

10   (2) on request, to county election officers in this

11 state.

12   (c) If the secretary of state becomes aware of a breach of

13 cybersecurity that impacts election data, the secretary shall

14 immediately notify the members of the standing committees of each

15 house of the legislature with jurisdiction over elections.

16   Sec. 279.003. ELECTION CYBERSECURITY: VOTER REGISTRARS

17 AND COUNTY CLERKS. (a) A voter registrar or county clerk shall

18 request training on cybersecurity:

19   (1) from the secretary of state; and

20   (2) on an annual basis from another provider of

21 cybersecurity training, if the registrar or clerk has available

22 state funds for that purpose.

23   (b) If a voter registrar or county clerk becomes aware of a

24 breach of cybersecurity that impacts election data, the registrar

25 or clerk shall immediately notify the secretary of state.

26   (c) To the extent that state funds are available for the

27 purpose, a voter registrar or county clerk shall implement endpoint

1 security to ensure that all devices with access to election data

2 comply to the highest extent possible with rules adopted by the

3 secretary of state under Section 279.002.

4   SECTION 7. This Act takes effect September 1, 2019.