

By: Fallon

S.B. No. 445

A BILL TO BE ENTITLED

AN ACT

relating to the use of a mobile phone by a person near a polling place.

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

SECTION 1. Section 61.014, Election Code, is amended by amending Subsections (a) and (b) and adding Subsection (e) to read as follows:

(a) Except as otherwise provided by this section, a ~~[A]~~ person may not use a wireless communication device within 100 feet of a voting station.

(b) A person may not use any mechanical or electronic means to take photographs, take video, or record ~~[of recording images or]~~ sound within 100 feet of a voting station.

(e) A person may use the person's mobile phone to access information.

SECTION 2. The heading to Section 62.0111, Election Code, is amended to read as follows:

Sec. 62.0111. NOTICE OF PROHIBITION OF RECORDING ~~[CERTAIN DEVICES]~~.

SECTION 3. Section 62.0111(a), Election Code, is amended to read as follows:

(a) At the discretion of the presiding judge, notice of the prohibition of taking photographs, taking video, or recording sound ~~[the use of certain devices]~~ under Section 61.014 may be posted at

1 one or more locations in the polling place where it can be read by
2 persons waiting to vote.

3 SECTION 4. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section [39](#), Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2019.