

1-1 By: Hall S.B. No. 2353
 1-2 (In the Senate - Filed March 8, 2019; March 21, 2019, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 8, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 8, 2019,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2353 By: Hall

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the creation of a fund to assist local governments with
 1-22 the acquisition of voting system equipment.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 123, Election Code, is amended by adding
 1-25 Subchapter D to read as follows:

1-26 SUBCHAPTER D. VOTING SYSTEM FUND

1-27 Sec. 123.091. DEFINITIONS. In this subchapter:

1-28 (1) "Eligible equipment" means voting system
 1-29 equipment that complies with applicable state and federal law on
 1-30 the date it is acquired.

1-31 (2) "Fund" means the voting system fund.

1-32 Sec. 123.092. VOTING SYSTEM FUND. (a) The voting system
 1-33 fund is an account in the general revenue fund.

1-34 (b) The fund consists of money transferred to the fund at
 1-35 the discretion of the legislature.

1-36 (c) Money in the fund may be appropriated only for a grant
 1-37 under Section 123.093.

1-38 (d) The fund is exempt from the application of Section
 1-39 403.095, Government Code.

1-40 Sec. 123.093. GRANTS FROM FUND. (a) A county or city may
 1-41 apply to the secretary of state for a grant under this subchapter to
 1-42 replace voting system equipment. A county or city is eligible to
 1-43 receive a grant equal to not more than 50 percent of the total cost
 1-44 of the eligible equipment.

1-45 (b) The secretary of state shall develop criteria for the
 1-46 fair and proportional distribution of grants that consider:

1-47 (1) the number of voters likely to be served by the
 1-48 eligible equipment;

1-49 (2) the age and condition of any equipment proposed
 1-50 for replacement;

1-51 (3) the need for equitable distribution of grant funds
 1-52 to both rural and urban counties and cities;

1-53 (4) whether the county or city governing body has
 1-54 adopted a reasonable long-term plan to address the maintenance,
 1-55 repair, and eventual replacement needs for the eligible equipment;
 1-56 and

1-57 (5) any other factor considered relevant by the
 1-58 secretary of state.

1-59 (c) If the total amount requested under qualifying grant
 1-60 applications exceeds the total amount available for the purpose of

2-1 awarding grants, amounts shall be allocated using the criteria
2-2 developed by the secretary of state under Subsection (b).

2-3 Sec. 123.094. APPLICATION FOR GRANT; CERTIFICATION OF
2-4 COSTS. (a) To receive a grant under Section 123.093, a county or
2-5 city must submit an application to the secretary of state. The
2-6 secretary of state shall prescribe a form for the application.

2-7 (b) The application must describe:
2-8 (1) the type or types of eligible equipment proposed
2-9 for purchase or lease;

2-10 (2) the expected total cost of the eligible equipment
2-11 and any sources of funding that will be used for its purchase or
2-12 lease in addition to the grant funding provided by this subchapter;

2-13 (3) the county's or city's plan to address the
2-14 long-term maintenance, repair, and eventual replacement costs for
2-15 the eligible equipment; and

2-16 (4) any other information required by the secretary of
2-17 state.

2-18 (c) The secretary of state shall establish:
2-19 (1) a deadline for receipt of grant applications;

2-20 (2) a procedure for awarding and distributing grants;
2-21 and

2-22 (3) a process for verifying the proper use of the
2-23 grants after distribution.

2-24 SECTION 2. The secretary of state is required to implement a
2-25 provision of this Act only if the legislature appropriates money
2-26 specifically for that purpose. If the legislature does not
2-27 appropriate money specifically for that purpose, the secretary of
2-28 state may, but is not required to, implement a provision of this Act
2-29 using other appropriations available for that purpose.

2-30 SECTION 3. This Act takes effect September 1, 2019.

2-31 * * * * *