

SENATE AMENDMENTS

2nd Printing

By: Bucy, Cortez, Israel, et al.

H.B. No. 933

A BILL TO BE ENTITLED

1 AN ACT
2 relating to posting of election information on the secretary of
3 state's and each county's Internet website.

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

5 SECTION 1. Section 4.003(b), Election Code, is amended to
6 read as follows:

7 (b) In addition to any other notice given for an election
8 under Subsection (a), not later than the 21st day before election
9 day, a county ~~[the authority responsible for giving notice of the~~
10 ~~election]~~ shall post a copy of a [the] notice of the election given
11 by the county or provided to the county under Section 4.008(a),
12 which must include the location of each polling place, on the
13 county's Internet website. An authority responsible for giving
14 notice of an election may post a copy of the notice on the bulletin
15 board used for posting notices of the meetings of the governing body
16 of the political subdivision that the authority serves. For each
17 precinct that is combined to form a consolidated precinct under
18 Section 42.008, not later than the 10th day before election day, the
19 authority shall also post, at the polling place used in the
20 preceding general election, notice of the precinct's consolidation
21 and the location of the polling place in the consolidated precinct.
22 A notice posted under this subsection must remain posted
23 continuously through election day.

24 SECTION 2. Section 4.008(a), Election Code, is amended to

1 read as follows:

2 (a) Except as provided by Subsection (b), the governing body
3 of a political subdivision, other than a county, that orders an
4 election shall deliver notice of the election, including the
5 location of each polling place, to the county clerk and voter
6 registrar of each county in which the political subdivision is
7 located not later than the 60th day before election day. The county
8 clerk shall post notice of the election, including the location of
9 each polling place, on the county's Internet website as provided by
10 Section 4.003(b).

11 SECTION 3. Section 31.012(a), Election Code, as effective
12 September 1, 2020, is amended to read as follows:

13 (a) The secretary of state and the voter registrar of each
14 county [~~that maintains a website~~] shall provide notice of the
15 identification requirements for voting prescribed by Chapter 63 and
16 that straight ticket voting has been eliminated pursuant to H.B.
17 25, Acts of the 85th Legislature, Regular Session, 2017, on each
18 entity's respective Internet website in each language in which
19 voter registration and election materials are available. The
20 secretary of state shall prescribe the wording of the notice to be
21 included on the Internet websites.

22 SECTION 4. Subchapter A, Chapter 31, Election Code, is
23 amended by adding Section 31.016 to read as follows:

24 Sec. 31.016. VOTING INFORMATION ON SECRETARY OF STATE'S
25 WEBSITE. (a) The secretary of state shall prescribe procedures
26 requiring the county officer responsible for administering
27 elections to submit contact information of the county election

1 office to the secretary of state for inclusion on the secretary of
2 state's Internet website, including:

- 3 (1) the street address and zip code;
4 (2) the mailing address if different from the address
5 provided in Subdivision (1);
6 (3) telephone number;
7 (4) facsimile number; and
8 (5) e-mail address.

9 (b) The secretary of state shall prescribe procedures
10 requiring each entity designating the location of a polling place,
11 including an early voting polling place, to submit information on
12 the location to the secretary of state for inclusion on the
13 secretary of state's Internet website.

14 (c) For each polling place the information submitted must
15 include:

- 16 (1) the name of the building in which the polling place
17 is located, if available;
18 (2) the street address and zip code of the polling
19 place; and
20 (3) the days and hours of voting at each location.

21 (d) The polling information under Subsection (c) shall be
22 posted on the secretary of state's Internet website in a
23 downloadable format.

24 (e) The secretary of state:

- 25 (1) may solicit and accept gifts, grants, and
26 donations from any public or private source for the creation and
27 maintenance of the Internet website; and

1 (2) shall adopt rules as necessary to implement this
2 section.

3 SECTION 5. Subchapter E, Chapter 31, Election Code, is
4 amended by adding Section 31.125 to read as follows:

5 Sec. 31.125. COUNTY WEBSITE. (a) The county officer
6 responsible for administering elections shall post on the county's
7 Internet website contact information for the county election office
8 including:

9 (1) the street address and zip code;

10 (2) the mailing address if different from the address
11 provided in Subdivision (1);

12 (3) telephone number;

13 (4) facsimile number; and

14 (5) e-mail address.

15 (b) For each polling place located in the county, the county
16 shall post on the county's Internet website:

17 (1) the name of the building in which the polling place
18 is located, if available;

19 (2) the street address and zip code of the polling
20 place; and

21 (3) the days and hours of voting at each location.

22 SECTION 6. Section 32.114(c), Election Code, is amended to
23 read as follows:

24 (c) The county clerk shall:

25 (1) post a notice of the time and place of each session
26 on the county's Internet website and may post the notice on the
27 bulletin board used for posting notice of meetings of the

1 commissioners court and shall include on the notice a statement
2 that the program is open to the public;

3 (2) notify each presiding judge appointed by the
4 commissioners court of the time and place of each session and of the
5 duty of each election judge to complete the training program;

6 (3) notify the county chair of each political party in
7 the county of the time and place of each session; and

8 (4) notify the voter registrar of the date, hour, and
9 place of each session.

10 SECTION 7. Section 42.035(a), Election Code, is amended to
11 read as follows:

12 (a) Beginning with the first week following the week in
13 which an order changing a county election precinct boundary is
14 adopted, the commissioners court shall publish notice of the
15 change:

16 (1) in a newspaper in the county once a week for three
17 consecutive weeks; and

18 (2) on the county's Internet website for three
19 consecutive weeks.

20 SECTION 8. Section 43.061(c), Election Code, is amended to
21 read as follows:

22 (c) Notice required by Subsection (b) must be given by:

23 (1) notifying each candidate whose name appears on the
24 ballot in the election or, in the case of an office filled by voters
25 of more than one county, notifying the county chair or, for an
26 independent candidate, the county judge of the county in which the
27 change occurs; or

1 (2) posting the notice in a listing used specifically
2 to inform the public of changes to the location of a polling place
3 on the [~~any~~] Internet website that the county clerk maintains to
4 provide information on elections held in the county.

5 SECTION 9. Section 66.059, Election Code, is amended by
6 amending Subsection (b) and adding Subsection (b-1) to read as
7 follows:

8 (b) If the political subdivision holding the election is not
9 a county, the [~~The~~] district judge shall post a notice of the date,
10 hour, and place for opening the box on the bulletin board used for
11 posting notices of the meetings of the governing body of the
12 political subdivision served by the general custodian of election
13 records. The notice must remain posted continuously for the 24
14 hours immediately preceding the hour set for opening the box.

15 **(b-1)** If the political subdivision holding the election is a
16 county, the district judge shall post a notice of the date, hour,
17 and place for opening the box on the county's Internet website. The
18 notice must remain posted continuously for the 24 hours preceding
19 the hour set for opening the box.

20 SECTION 10. Section 67.012(b), Election Code, is amended to
21 read as follows:

22 (b) The secretary of state shall post, on the secretary of
23 state's Internet website [~~bulletin board used for posting notice of~~
24 ~~meetings of state governmental bodies~~], a notice of the date, hour,
25 and place of the canvass at least 72 hours before the canvass is
26 conducted.

27 SECTION 11. Section 85.007(c), Election Code, is amended to

1 read as follows:

2 (c) Notice under Subsection (b) shall be posted
3 continuously for at least 72 hours immediately preceding the first
4 hour that the voting to which the notice pertains will be conducted.
5 The notice shall be posted on:

6 (1) the bulletin board used for posting notice of
7 meetings of the [~~commissioners court if the early voting clerk is~~
8 ~~the county clerk, or of the~~] city governing body if the early voting
9 clerk is the city secretary; or

10 (2) the county's Internet website if the early voting
11 clerk is the county clerk.

12 SECTION 12. Section 85.067(d), Election Code, is amended to
13 read as follows:

14 (d) The schedule shall be posted on:

15 (1) the bulletin board used for posting notice of
16 meetings of the governing body of the political subdivision served
17 by the authority ordering the election or, if the early voting clerk
18 is the [~~county clerk or~~] city secretary, meetings of the
19 [~~commissioners court or~~] city governing body; or

20 (2) the county's Internet website if the early voting
21 clerk is the county clerk [, as applicable].

22 SECTION 13. Section 87.027, Election Code, is amended by
23 amending Subsection (k) and adding Subsection (k-1) to read as
24 follows:

25 (k) Postings required by this section shall be made on the
26 bulletin board used for posting notice of meetings of the
27 [~~commissioners court, in an election for which the county election~~

1 ~~board is established or a primary election, or of the]~~ governing
2 body of the political subdivision in an election other than an
3 election for which the county election board is established or a
4 primary election [~~other elections~~].

5 (k-1) Postings required by this section shall be made on the
6 county's Internet website in an election for which the county
7 election board is established or a primary election.

8 SECTION 14. Section 129.023(b), Election Code, is amended
9 to read as follows:

10 (b) Not later than 48 hours before voting begins on a voting
11 system, the general custodian of election records shall conduct a
12 logic and accuracy test. Public notice of the test must be published
13 on the county's Internet website at least 48 hours before the test
14 begins, and the test must be open to the public.

15 SECTION 15. Section 172.113(d), Election Code, is amended
16 to read as follows:

17 (d) The authority shall make periodic announcements of the
18 current state of the tabulation, including by posting the
19 announcements on the Internet website of the county [~~, if the county~~
20 ~~maintains a website~~].

21 SECTION 16. Section 181.006(k), Election Code, is amended
22 to read as follows:

23 (k) The secretary of state shall post a notice of the
24 receipt of a petition on the secretary of state's Internet website
25 and may post the notice on a bulletin board used for posting notice
26 of meetings of state governmental bodies. Any person may challenge
27 the validity of the petition by filing a written statement of the

1 challenge with the secretary of state not later than the fifth day
2 after the date notice is posted. The secretary of state may verify
3 the petition signatures regardless of whether the petition is
4 timely challenged.

5 SECTION 17. Section 203.012(c), Election Code, is amended
6 to read as follows:

7 (c) The secretary of state shall post, on the secretary of
8 state's Internet website [~~bulletin board used for posting notice of~~
9 ~~meetings of state governmental bodies~~], a notice of the date, hour,
10 and place of the canvass at least 24 hours before the canvass is
11 conducted.

12 SECTION 18. Section 274.002(c), Election Code, is amended
13 to read as follows:

14 (c) The secretary of state shall post on the secretary of
15 state's Internet website and may post on a bulletin board for
16 posting notice of a meeting of a state governmental body a notice of
17 the date, hour, and place of the drawing. The notice must remain
18 posted continuously for 72 hours immediately preceding the
19 scheduled time of the drawing.

20 SECTION 19. (a) Not later than September 1, 2019, the
21 secretary of state shall post the information as required by
22 Section 31.016, Election Code, as added by this Act.

23 (b) Not later than October 1, 2019, a county that on
24 September 1, 2019, maintains an Internet website shall post
25 information as required by Section 31.125, Election Code, as added
26 by this Act.

27 (c) Not later than March 1, 2020, a county that on September

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1 1, 2019, does not maintain an Internet website shall post
2 information as required by Section 31.125, Election Code, as added
3 by this Act.

4 SECTION 20. This Act takes effect September 1, 2019.

ADOPTED

VV
MAY 19 2019

Debra Spaw
Secretary of the Senate

Charles Perry

FLOOR AMENDMENT NO. 1

BY:

1 Amend H.B. No. 933 (senate committee report) as follows:

2 (1) In SECTION 1 of the bill, in amended Section 4.003(b),
3 Election Code (page 1, line 30), between "website" and the
4 underlined period, insert ", if the county maintains a website".

5 (2) In SECTION 1 of the bill, in amended Section 4.003(b),
6 Election Code (page 1, line 33), between the period and "For",
7 insert the following:

8 If a county does not maintain a website, the authority responsible
9 for giving notice of the election shall post a copy of a notice of
10 the election on the bulletin board used for posting notices of the
11 meetings of the governing body of the political subdivision that
12 the authority serves.

13 (3) In SECTION 2 of the bill, in amended Section 4.008(a),
14 Election Code (page 1, line 50), between "website" and "as", insert
15 ", if the county maintains a website,".

16 (4) Strike SECTION 3 of the bill, amending Section
17 31.012(a), Election Code (page 1, line 52, through page 2, line 1).

18 (5) In SECTION 5 of the bill, following added Section
19 31.125, Election Code (page 2, between lines 55 and 56), insert the
20 following:

21 (c) This section applies only to a county that maintains an
22 Internet website.

23 (6) In SECTION 6 of the bill, in amended Section 32.114(c),
24 Election Code (page 2, line 60), between "website" and "and",
25 insert ", if the county maintains an Internet website,".

26 (7) In SECTION 6 of the bill, in amended Section 32.114(c),
27 Election Code (page 2, between lines 63 and 64), insert the
28 following:

29 (1-a) post notice of the time and place of each session

1 on the bulletin board used for posting notice of meetings of the
2 commissioners court, if the county does not maintain an Internet
3 website, and shall include on the notice a statement that the
4 program is open to the public;

5 (8) In SECTION 7 of the bill, in amended Section 42.035(a),
6 Election Code (page 3, line 10), between "website" and "for",
7 insert ", if the county maintains an Internet website,".

8 (9) Strike SECTION 8 of the bill, amending Section
9 43.061(c), Election Code (page 3, lines 12 through 23).

10 (10) In SECTION 9 of the bill, in amended Section 66.059(b),
11 Election Code (page 3, line 28), between "county" and the
12 underlined comma, insert "or is a county that does not maintain an
13 Internet website."

14 (11) In SECTION 9 of the bill, in added Section 66.059(b-1),
15 Election Code (page 3, line 35), between "county" and the
16 underlined comma, insert "that maintains an Internet website".

17 (12) In SECTION 11 of the bill, in amended Section
18 85.007(c), Election Code (page 3, lines 52 through 55), strike
19 Subdivision (1) and substitute the following:

20 (1) the bulletin board used for posting notice of
21 meetings of the commissioners court if the early voting clerk is the
22 county clerk of a county that does not maintain an Internet website,
23 or of the city governing body if the early voting clerk is the city
24 secretary; or

25 (13) In SECTION 11 of the bill, in amended Section
26 85.007(c)(2), Election Code (page 3, line 57), between "clerk" and
27 the underlined period, insert "of a county that maintains an
28 Internet website".

29 (14) In SECTION 12 of the bill, in amended Section 85.067,
30 Election Code (page 3, lines 60 through 67), strike Subsection (d)
31 and substitute the following:

1 (d) The schedule shall be posted on:

2 (1) the bulletin board used for posting notice of
3 meetings of the governing body of the political subdivision served
4 by the authority ordering the election or, if the early voting clerk
5 is the county clerk of a county that does not maintain an Internet
6 website or city secretary, meetings of the commissioners court or
7 city governing body, as applicable; or

8 (2) the county's Internet website if the early voting
9 clerk is the county clerk of a county that maintains an Internet
10 website.

11 (15) In SECTION 13 of the bill, in amended Section 87.027,
12 Election Code (page 4, lines 2 through 8), strike Subsection (k) and
13 substitute the following:

14 (k) Postings required by this section shall be made on the
15 bulletin board used for posting notice of meetings of the
16 commissioners court of a county that does not maintain an Internet
17 website, in an election for which the county election board is
18 established or a primary election, or of the governing body of the
19 political subdivision in other elections.

20 (16) In SECTION 13 of the bill, in added Section
21 87.027(k-1), Election Code (page 4, line 9), strike "Postings" and
22 substitute "If the county maintains an Internet website, postings".

23 (17) In SECTION 14 of the bill, in amended Section
24 129.023(b), Election Code (page 4, line 17), between "website" and
25 "at", insert ", if the county maintains an Internet website, or on
26 the bulletin board used for posting notice of meetings of the
27 commissioners court if the county does not maintain an Internet
28 website,".

29 (18) Strike SECTION 15 of the bill, amending Section
30 172.113(d), Election Code (page 4, lines 19 through 24).

31 (19) Strike SECTION 19(c) of the bill (page 4, lines 58

1 through 61).

2 (20) Renumber SECTIONS of the bill accordingly.

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 20, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB933 by Bucy (Relating to posting of election information on the secretary of state's and each county's Internet website.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

Implementing the internet posting provisions of the bill will result in one-time costs, but it is assumed these could be absorbed using existing agency resources.

Local Government Impact

No significant fiscal implication to counties is anticipated.

Source Agencies: 307 Secretary of State, 313 Department of Information Resources

LBB Staff: WP, CMa, JMO, AF, SLE, NV

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 8, 2019

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB933 by Bucy (Relating to posting of election information on the secretary of state's and each county's Internet website.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

Implementing the internet posting provisions of the bill will result in one-time costs, but it is assumed these could be absorbed using existing agency resources.

Local Government Impact

No significant fiscal implication to counties is anticipated.

Source Agencies: 307 Secretary of State, 313 Department of Information Resources

LBB Staff: WP, CMa, JMO, AF, SLE, NV

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 12, 2019

TO: Honorable Stephanie Klick, Chair, House Committee on Elections

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB933** by Bucy (relating to posting of election information on the secretary of state 's and each county 's Internet website.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

Implementing the internet posting provisions of the bill will result in one-time costs, but it is assumed these could be absorbed using existing agency resources.

Local Government Impact

No significant fiscal implication to counties is anticipated.

Source Agencies: 307 Secretary of State, 313 Department of Information Resources

LBB Staff: WP, JMO, AF, SLE, NV

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 1, 2019

TO: Honorable Stephanie Klick, Chair, House Committee on Elections

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB933 by Bucy (Relating to posting of election information on the secretary of state's and each county's Internet website.), **As Introduced**

No significant fiscal implication to the State is anticipated.

Implementing the internet posting provisions of the bill will result in one-time costs, but it is assumed these could be absorbed using existing agency resources.

Local Government Impact

No significant fiscal implication to counties is anticipated.

Source Agencies: 307 Secretary of State, 313 Department of Information Resources

LBB Staff: WP, SLE, NV, JMO, AF