

House Bill 933
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

SECTION 2. Section 4.008(a), Election Code, is amended to read as follows:

(a) Except as provided by Subsection (b), the governing body of a political subdivision, other than a county, that orders an

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

(b) In addition to any other notice given for an election under Subsection (a), not later than the 21st day before election day, ~~a county [the authority responsible for giving notice of the election]~~ shall post a copy of a [the] notice of the election given by the county or provided to the county under Section 4.008(a), which must include the location of each polling place, on the county's Internet website, if the county maintains a website. An authority responsible for giving notice of an election may post a copy of the notice on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision that the authority serves. If a county does not maintain a website, the authority responsible for giving notice of the election shall post a copy of a notice of the election on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision that the authority serves. For each precinct that is combined to form a consolidated precinct under Section 42.008, not later than the 10th day before election day, the authority shall also post, at the polling place used in the preceding general election, notice of the precinct's consolidation and the location of the polling place in the consolidated precinct. A notice posted under this subsection must remain posted continuously through election day.
[FA1(1)-(2)]

SECTION 2. Section 4.008(a), Election Code, is amended to read as follows:

(a) Except as provided by Subsection (b), the governing body of a political subdivision, other than a county, that orders an

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election shall deliver notice of the election, including the location of each polling place, to the county clerk and voter registrar of each county in which the political subdivision is located not later than the 60th day before election day. The county clerk shall post notice of the election, including the location of each polling place, on the county's Internet website as provided by Section 4.003(b).

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

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

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

Sec. 31.016. VOTING INFORMATION ON SECRETARY OF STATE'S WEBSITE. (a) The secretary of state shall prescribe procedures requiring the county officer responsible for administering elections to submit contact information of the county election office to the secretary of state for inclusion on the secretary of state's Internet website, including:

(1) the street address and zip code;

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election shall deliver notice of the election, including the location of each polling place, to the county clerk and voter registrar of each county in which the political subdivision is located not later than the 60th day before election day. The county clerk shall post notice of the election, including the location of each polling place, on the county's Internet website, if the county maintains a website, as provided by Section 4.003(b). [FA1(3)]

~~No equivalent provision.~~ SECTION 3. [Deleted by FA1(4)]

SECTION 4. Same as House version.

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

(3) telephone number;

(4) facsimile number; and

(5) e-mail address.

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

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

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

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

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

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

(e) The secretary of state:

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

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

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

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

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

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

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- (1) the street address and zip code;
- (2) the mailing address if different from the address provided in Subdivision (1);
- (3) telephone number;
- (4) facsimile number; and
- (5) e-mail address.
- (b) For each polling place located in the county, the county shall post on the county's Internet website:
 - (1) the name of the building in which the polling place is located, if available;
 - (2) the street address and zip code of the polling place; and
 - (3) the days and hours of voting at each location.

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

(c) The county clerk shall:

- (1) post a notice of the time and place of each session on the county's Internet website and may post the notice on the bulletin board used for posting notice of meetings of the commissioners court and shall include on the notice a statement that the program is open to the public;

- (2) notify each presiding judge appointed by the commissioners court of the time and place of each session and

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- (1) the street address and zip code;
- (2) the mailing address if different from the address provided in Subdivision (1);
- (3) telephone number;
- (4) facsimile number; and
- (5) e-mail address.
- (b) For each polling place located in the county, the county shall post on the county's Internet website:
 - (1) the name of the building in which the polling place is located, if available;
 - (2) the street address and zip code of the polling place; and
 - (3) the days and hours of voting at each location.
 - (c) This section applies only to a county that maintains an Internet website. [FA1(5)]

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

(c) The county clerk shall:

- (1) post a notice of the time and place of each session on the county's Internet website, if the county maintains an Internet website, and may post the notice on the bulletin board used for posting notice of meetings of the commissioners court and shall include on the notice a statement that the program is open to the public; [FA1(6)]

(1-a) post notice of the time and place of each session on the bulletin board used for posting notice of meetings of the commissioners court, if the county does not maintain an Internet website, and shall include on the notice a statement that the program is open to the public; [FA1(7)]

- (2) notify each presiding judge appointed by the commissioners court of the time and place of each session and

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of the duty of each election judge to complete the training program;

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

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

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

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

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

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

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

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

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

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

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of the duty of each election judge to complete the training program;

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

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

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

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

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

(2) on the county's Internet website, if the county maintains an Internet website, for three consecutive weeks. [FA1(8)]

No equivalent provision. SECTION 8. [Deleted by FA1(9)]

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

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

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

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

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

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

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

(b) If the political subdivision holding the election is not a county or is a county that does not maintain an Internet website, the [The] district judge shall post a notice of the date, hour, and place for opening the box on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision served by the general custodian of election records. The notice must remain posted continuously for the 24 hours immediately preceding the hour set for opening the box. [FA1(10)]

(b-1) If the political subdivision holding the election is a county that maintains an Internet website, the district judge shall post a notice of the date, hour, and place for opening the box on the county's Internet website. The notice must remain posted continuously for the 24 hours preceding the hour set for opening the box. [FA1(11)]

SECTION 10. Same as House version.

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

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to read as follows:

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

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

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

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

(d) The schedule shall be posted on:

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

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

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

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to read as follows:

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

(1) the bulletin board used for posting notice of meetings of the commissioners court if the early voting clerk is the county clerk of a county that does not maintain an Internet website, or of the city governing body if the early voting clerk is the city secretary; or [FA1(12)]

(2) the county's Internet website if the early voting clerk is the county clerk of a county that maintains an Internet website. [FA1(13)]

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

(d) The schedule shall be posted on:

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

(2) the county's Internet website if the early voting clerk is the county clerk of a county that maintains an Internet website. [FA1(14)]

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

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(k) Postings required by this section shall be made on the bulletin board used for posting notice of meetings of the ~~commissioners court, in an election for which the county election board is established or a primary election, or of the governing body of the political subdivision in an election other than an election for which the county election board is established or a primary election~~ other elections.

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

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

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

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

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

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(k) Postings required by this section shall be made on the bulletin board used for posting notice of meetings of the commissioners court of a county that does not maintain an Internet website, in an election for which the county election board is established or a primary election, or of the governing body of the political subdivision in other elections. [FA1(15)]

(k-1) If the county maintains an Internet website, postings required by this section shall be made on the county's Internet website in an election for which the county election board is established or a primary election. [FA1(16)]

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

(b) Not later than 48 hours before voting begins on a voting system, the general custodian of election records shall conduct a logic and accuracy test. Public notice of the test must be published on the county's Internet website, if the county maintains an Internet website, or on the bulletin board used for posting notice of meetings of the commissioners court if the county does not maintain an Internet website, at least 48 hours before the test begins, and the test must be open to the public. [FA1(17)]

~~No equivalent provision.~~ SECTION 15. [Deleted by FA1(18)]

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

(k) The secretary of state shall post a notice of the receipt of a petition on the secretary of state's Internet website and may post the notice on a bulletin board used for posting notice of meetings of state governmental bodies. Any person may challenge the validity of the petition by filing a written statement of the challenge with the secretary of state not later than the fifth day after the date notice is posted. The secretary of state may verify the petition signatures regardless of whether the petition is timely challenged.

SECTION 16. Same as House version.

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

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

SECTION 17. Same as House version.

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

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

SECTION 18. Same as House version.

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SECTION 19. (a) Not later than September 1, 2019, the secretary of state shall post the information as required by Section 31.016, Election Code, as added by this Act.
(b) Not later than October 1, 2019, a county that on September 1, 2019, maintains an Internet website shall post information as required by Section 31.125, Election Code, as added by this Act.
(c) Not later than March 1, 2020, a county that on September 1, 2019, does not maintain an Internet website shall post information as required by Section 31.125, Election Code, as added by this Act.

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

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SECTION 19. (a) Not later than September 1, 2019, the secretary of state shall post the information as required by Section 31.016, Election Code, as added by this Act.
(b) Not later than October 1, 2019, a county that on September 1, 2019, maintains an Internet website shall post information as required by Section 31.125, Election Code, as added by this Act.
(c) [Deleted by FA1(19)]

SECTION 20. Same as House version.

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