

By: Swanson

H.B. No. 209

A BILL TO BE ENTITLED

AN ACT

relating to public access to anonymized ballots.

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

SECTION 1. The purpose of this act is to instill confidence in Texas elections and protect the secrecy of the ballot by ensuring the public's right to audit the results of their elections by accessing copies of casted ballots that have been anonymized.

SECTION 2. Section 1.012, Election Code, is amended by adding subsections (f) and (g) to read as follows:

(f) Notwithstanding any other law, including Section 66.058, except subsection (g) of this Section, the portions of a cast ballot that contain no specific individual voter identifying information are public information under Chapter 552, Government Code. Any individual voter identifying information contained on a cast ballot shall be redacted prior to a cast ballot being made available for inspection or copying.

(g) A governmental body, in responding to a request under Chapter 552, Government Code, for portions of a ballot cast in a precinct containing five or fewer registered voters as of the date of the election shall take reasonable measures to ensure the release of the records does not have the effect of disclosing the votes taken by the voters in that precinct. The measures taken may include redacting precinct identifying information, modifying the request to include portions of ballots from additional precincts,

1 and aggregating responsive records from multiple precincts.

2 SECTION 3. This Act takes effect December 1, 2021.