

By: Swanson

H.B. No. 228

A BILL TO BE ENTITLED

AN ACT

relating to a pilot program for recording activity at a ballot counting station.

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

SECTION 1. Subchapter A, Chapter 65, Election Code, is amended by adding Section 65.017 to read as follows:

Sec. 65.017. VIDEO RECORDING OF BALLOT COUNTING. (a) The secretary of state shall establish a pilot program requiring a county to use a video recording device to record ballot counting activity in the county.

(b) The secretary of state shall select six counties to take part in the pilot program, including:

(1) two counties with a population of not less than 500,000;

(2) two counties with a population of not less than 50,000 and not more than 100,000; and

(3) two counties with a population of not more than 5,000.

(c) The secretary of state shall adopt procedures to implement this section, including procedures to determine which counties may participate in the pilot program under this section.

(d) The secretary of state shall operate the pilot program established under this section until January 31, 2023.

(e) Not later than January 31, 2023, the secretary of state shall file a report with the legislature. The report must state:

(1) which counties participated in the pilot program;

1 (2) the number of precincts that recorded video;

2 (3) any best practices for placement and use of the video
3 recording devices, including:

4 (A) best angles for visibility;

5 (B) best distance between device and counting station; and

6 (C) best devices for clarity; and

7 (4) any other information and recommendations considered
8 necessary by the secretary of state.

9 (f) This section expires January 31, 2023.

10 SECTION 2. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect on the 91st day after the last day of the
15 legislative session.