

A BILL TO BE ENTITLED

AN ACT

relating to requirements for a voting system to be used in an election in this state.

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

SECTION 1. Section 122.032, Election Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) For a voting system or voting system equipment to be approved for use in elections, the voting system in which the equipment is designed to be used must:

(1) comply with the standards prescribed by Subchapter A; and

(2) beginning September 1, 2021, have:

(A) all software used in the voting system be developed and operated entirely within ~~[be manufactured, stored, and held in]~~ the United States and sold by a company whose:

(i) [(A)] headquarters are located in the United States; and

(ii) [(B)] parent company's headquarters, if applicable, are located in the United States; and

(B) all hardware used in the voting system, if manufactured outside the United States, be delivered to the United States without any embedded software installed.

(c) In this section, "embedded software" means programmable

1 instructions provided on software that is delivered with voting
2 system equipment or with a replacement part for that equipment for
3 the purpose of equipment operation, including all relevant patches
4 and fixes made by the original equipment manufacturer of the voting
5 system equipment or replacement part for that purpose.

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