

By: Hall

S.B. No. 25

A BILL TO BE ENTITLED

AN ACT

relating to the management of polling place locations during a continuous period for voting.

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

SECTION 1. Subchapter A, Chapter 41, Election Code, is amended by adding Section 41.0015 to read as follows:

Sec. 41.0015. ELECTION PERIOD. In this title, "election period" means the period beginning on the first day of early voting by personal appearance as described under Section 85.001 and ending when the polls close on election day.

SECTION 2. Subchapter A, Chapter 43, Election Code, is amended by adding Section 43.008 to read as follows:

Sec. 43.008. ADDITIONAL POLLING PLACES DURING ELECTION PERIOD. If the county clerk or commissioners court, as applicable, determines that more polling places are needed during the election period than the number initially opened, the county clerk or commissioners court may open more polling places, but may not, for any reason, close a polling place before the end of the election period.

SECTION 3. Section 61.002, Election Code, is amended to read as follows:

Sec. 61.002. OPENING AND CLOSING POLLING PLACE FOR VOTING.  
(a) Immediately before opening the polls for voting on the first day of the election period, the presiding election judge shall confirm

1 that each voting machine has any public counter reset to zero and  
2 shall print the zero tape:

3 (1) that shows the counter was set to zero; and

4 (2) that shows the summary for each candidate and  
5 measure on the ballot for each voting machine is set to zero.

6 (b) At the official time for opening the polls for voting,  
7 an election officer shall open the polling place entrance and admit  
8 the voters.

9 (c) Immediately after closing the polls for voting on the  
10 last day of the election period, the presiding election judge shall  
11 print the results tape to show the summary of votes for each  
12 candidate or ballot measure for each voting machine at that polling  
13 location.

14 (d) The precinct election judge, and an election official  
15 aligned with a different political party, shall sign a tape printed  
16 under this section.

17 (e) In this section, "election period" has the meaning  
18 assigned by Section 41.0015.

19 SECTION 4. Sections 85.001(a) and (e), Election Code, are  
20 amended to read as follows:

21 (a) The period for early voting by personal appearance  
22 begins on the 14th [~~17th~~] day before election day and continues  
23 through the opening of the polls on [~~the fourth day before~~] election  
24 day, except as otherwise provided by this section.

25 (e) For an election held on the uniform election date in May  
26 and any resulting runoff election, the period for early voting by  
27 personal appearance begins on the 10th [~~12th~~] day before election

1 day and continues through the opening of the polls on [~~the fourth~~  
2 ~~day before~~] election day.

3 SECTION 5. Subchapter C, Chapter 125, Election Code, is  
4 amended by adding Section 125.0635 to read as follows:

5 Sec. 125.0635. SECURING EQUIPMENT ON FAILURE OF EQUIPMENT.

6 (a) In this section, "election period" has the meaning assigned by  
7 Section 41.0015.

8 (b) If a piece of electronic voting machine equipment fails  
9 and is taken out of service during the election period, the  
10 equipment and any associated memory card must be securely isolated  
11 until the end of the election period.

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