87R7413 SLB-D

By:  Paxton, Hall, Schwertner S.B. No. 1236

A BILL TO BE ENTITLED

AN ACT

relating to prohibited suspension of laws governing elections.

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

SECTION 1.  Section 1.002, Election Code, is amended by adding Subsection (c) to read as follows:

(c)  For purposes of a state of disaster declared under Chapter 418, Government Code:

(1)  this code is not considered a regulatory statute; and

(2)  a provision of this code may not be suspended.

SECTION 2.  Chapter 1, Election Code, is amended by adding Section 1.022 to read as follows:

Sec. 1.022.  PROHIBITION ON ACTS AFFECTING ELECTIONS. (a) In this section:

(1)  "Government agency" means:

(A)  this state or a municipality or other political subdivision of this state; and

(B)  any agency of this state or a municipality or other political subdivision of this state, including a department, bureau, board, commission, office, agency, council, or public institution of higher education.

(2)  "Public official" means any elected or appointed officer, employee, or agent of this state, a government agency, or any other public body established by state law.

(b)  A government agency or public official may not issue an order that suspends or waives a provision of this code.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.