By:  Hall S.B. No. 2232

A BILL TO BE ENTITLED

AN ACT

relating to elections.

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 voting by personal appearance 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.  POLLING PLACES DURING ELECTION PERIOD. (a) The county clerk or commissioners court, as applicable, shall determine the number of polling places needed during an election period and cause that number of polling places to be open during the election period.

(b)  If the county clerk or commissioners court, as applicable, determines that more polling places are needed during the election period than the number initially established under Subsection (a), 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.

(c)  In a county with a population of one million or more, the number of polling places located in each state representative district included in the territory of the county is calculated by dividing the number of eligible voters residing in that district by the total number of eligible voters residing in the county and using the number generated as a percentage to allocate the same percentage of polling place locations, rounding up to the nearest whole number, if necessary

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 that each voting machine has any public counter reset to zero and shall print the tape that shows the counter was set to zero.

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

(c)  Immediately after closing the polls for voting on the last day of the election period, the presiding election judge shall print the tape to show the summary for each candidate or ballot measure for each voting machine.

(d)  Each precinct election judge and an official election worker form the opposite party shall sign a tape printed under this section.

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

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

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

SECTION 5.  Chapter 121, Election Code, is amended by adding Section 121.004 to read as follows:

Sec. 125.0635.  SECURING EQUIPMENT ON FAILURE OF EQUIPMENT. (a) In this section, "election period" has the meaning assigned by Section 41.0015.

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

SECTION 6.  Chapter 276 of the Election Code, is amended to is amended by adding Section 276.013 to read as follows:

Sec. 276.013  Feasibility Study for Single Voting Period.

(a)  Not later than September 1, 2022, the Secretary of State shall:

(1)  Conduct a study regarding the development of a plan on implementation of eliminating the four-day gap between early voting and election day in order to establish a single voting period for Texas elections.

(2)  Prepare a report on the study's findings and file the report with the legislature not later than September 1, 2022.

(b)  The study must include:

(1)  information on how other states conduct the voting period and their use of paper ballots to facilitate the combined period;

(2)  information on the feasibility and costs of adopting voter marked paper ballots compared to ballots printed by a ballot marking device;

(3)  recommendations for statutory changes that are necessary to create a single voting period.

Section 7. This Act takes effect September 1, 2023.