

By: Parker, Cain, Schofield, Lozano, Canales

H.B. No. 3276

A BILL TO BE ENTITLED

AN ACT

relating to the security of voted ballots.

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

SECTION 1. Subchapter A, Chapter 65, Election Code, is amended by adding Section 65.016 to read as follows:

Sec. 65.016. VIDEO RECORDING OF COUNTING LOCATIONS. (a)

This section applies to:

(1) a primary election;

(2) the general election for state and county officers; and

(3) an election in which the county clerk serves as the early voting clerk.

(b) The general custodian of election records shall implement a video surveillance system that retains a record of all areas containing voted ballots from the time the ballots are delivered to the general custodian of election records until the canvass of precinct election returns. The video recording shall be retained in the same manner as a precinct election record under Section 66.058.

(c) The general custodian of election records shall provide a live video stream of any election activity recorded under Subsection (b) on the Internet website of the authority administering the election.

(d) The secretary of state shall prescribe procedures

1 necessary for the implementation of this section.

2 SECTION 2. Section 31.009, Election Code, is amended by
3 amending Subsection (b) and adding Subsection (c) to read as
4 follows:

5 (b) If state funds are made available to provide for the
6 security of voted ballots under Section 65.016, the secretary of
7 state shall administer and distribute the funds to counties as
8 appropriate to most effectively facilitate the purpose for which
9 the funds are made available.

10 (c) The secretary of state shall prescribe any necessary
11 rules and take any appropriate action to implement this section.

12 SECTION 3. Subchapter A, Chapter 31, Election Code, is
13 amended by adding Section 31.0112 to read as follows:

14 Sec. 31.0112. VIDEO RECORDING OF COUNTING LOCATIONS FUND.

15 (a) The video recording of counting locations fund is an account in
16 the general fund.

17 (b) The secretary of state shall establish a grant program
18 to assist counties with the implementation of this section.

19 (c) If a federal program makes funding available to this
20 state for the purpose of video recording of ballot counting
21 locations, state funds appropriated under this section may be used
22 to meet federal matching requirements under the federal program.

23 (d) The fund is exempt from the application of Section
24 403.095, Government Code.

25 SECTION 4. The governing body of a political subdivision is
26 required to implement a provision of this Act only if the
27 legislature appropriates money specifically for that purpose. If

1 the legislature does not appropriate money specifically for that
2 purpose, the governing body may, but is not required to, implement a
3 provision of this Act using other appropriations available for that
4 purpose.

5 SECTION 5. This Act takes effect September 1, 2021.