

By: Jetton

H.B. No. 4322

A BILL TO BE ENTITLED

AN ACT

relating to the location of a polling place.

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

SECTION 1. Section 43.031, Election Code, is amended by amending Subsections (b) and (e) and adding Subsection (b-1) to read as follows:

(b) Each polling place shall be located inside a building. A polling place may not be located in a tent or other temporary moveable structure or in a facility primarily designed for motor vehicles. No voter may cast a vote from inside a motor vehicle unless the voter meets the requirements of Section 64.009.

(b-1) A polling place may not be located in:

(1) a tent or other temporary or movable structure; or

(2) a parking garage, parking lot, or similar facility primarily designed for motor vehicles.

(e) A polling place may not be located at ~~the~~ a personal residence ~~[of a person who is:~~

~~(1) a candidate for an elective office, including an office of a political party; or~~

~~(2) related within the third degree by consanguinity or the second degree by affinity, as determined under Chapter 573, Government Code, to a candidate described by Subdivision (1)].~~

SECTION 2. Section 85.062(b), Election Code, is amended to read as follows:

1           (b) A polling place established under this section may be  
2 located, subject to Subsection (d), at any place in the territory  
3 served by the early voting clerk and may be located inside [~~in~~] any  
4 building [~~stationary structure~~] as directed by the authority  
5 establishing the branch office. The polling place may not be  
6 located in a tent or other temporary movable structure or in a  
7 facility designed primarily for motor vehicles in the general  
8 election for state and county officers, general primary election,  
9 or runoff primary election. Ropes or other suitable objects may be  
10 used at the polling place to ensure compliance with Section 62.004.  
11 Persons who are not expressly permitted by law to be in a polling  
12 place shall be excluded from the polling place to the extent  
13 practicable.

14           SECTION 3. The following provision of the Election Code is  
15 repealed:

16                     (1) Section 85.062(e).

17           SECTION 4. This Act takes effect September 1, 2021.