

By: Bettencourt, et al.

S.B. No. 1110

A BILL TO BE ENTITLED

AN ACT

relating to emergency review of election law violations.

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

SECTION 1. The heading to Subchapter E, Chapter 273, Election Code, is amended to read as follows:

SUBCHAPTER E. INJUNCTION; EMERGENCY REVIEW

SECTION 2. Subchapter E, Chapter 273, Election Code, is amended by adding Section 273.082 to read as follows:

Sec. 273.082. EMERGENCY REVIEW OF ELECTION ACTIVITY. (a) Not later than the 60th day before the date of a regular or special election, the presiding judge of each administrative judicial region shall appoint not fewer than three retired judges to serve as emergency election review judges to preside in actions under this section.

(b) An action filed within 45 days of an election by a candidate in the election or a state or county chair of a political party that has a candidate in the election, that alleges a violation of this code in that election and requests emergency injunctive relief to prevent the alleged violation from continuing, shall be assigned to an emergency election review judge.

(c) A judge appointed to serve as an emergency election review judge shall receive training as specified by the secretary of state at least once a year.

(d) A request for hearing in an action heard by an emergency

1 election review judge shall be delivered to the assigned judge, who  
2 shall promptly conduct a hearing, by electronic means or otherwise,  
3 to begin no later than one hour after the judge receives a written  
4 hearing request.

5 (e) A hearing conducted by an emergency election review  
6 judge shall be recorded or transcribed and is subject to appellate  
7 review.

8 (f) A request for hearing in an action heard by an emergency  
9 election review judge shall be delivered to the assigned judge, who  
10 shall promptly conduct a hearing to begin no later than:

11 (1) three hours after the judge receives a written  
12 hearing request filed not earlier than the 45th day before the date  
13 of the election and not later than the last day before election day;  
14 or

15 (2) one hour after the judge receives a written  
16 hearing request filed on election day.

17 SECTION 3. This Act takes effect September 1, 2021.