

A BILL TO BE ENTITLED

AN ACT

relating to a requirement that a voting system use a paper record or produce a paper receipt for verification purposes.

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

SECTION 1. Subchapter A, Chapter 129, Election Code, is amended by adding Section 129.003 to read as follows:

Sec. 129.003. PAPER AUDIT TRAIL REQUIRED. (a) In this section, "auditable voting system" means a voting system that:

(1) uses a paper record; or

(2) produces a paper record by which a voter can verify that the voter's ballot will be counted accurately.

(b) Except as provided by Subsection (e), a voting system that consists of direct recording electronic voting machines may not be used in an election unless the system is an auditable voting system.

(c) Except for a recount under Title 13 or an election contest under Title 14, the electronic vote is the official record of the ballot. For a recount of ballots cast on a system involving direct recording electronic voting machines, or in an election contest, the paper record is the official record of the vote cast.

(d) An authority that purchased a voting system other than an auditable voting system after September 1, 2016, and before September 1, 2021, may use available federal funding and, if federal funding is not available, available state funding to

1 retrofit the purchased voting system as an auditable voting system
2 in accordance with the following schedule:

3 (1) if the voting system was retrofitted as an
4 auditable voting system not later than the election taking place
5 November 8, 2022, the authority is eligible to have 100 percent of
6 the cost of retrofitting reimbursed under this section; and

7 (2) if the authority is not eligible for a 100 percent
8 reimbursement of cost under Subdivision (1) and the voting system
9 was retrofitted as an auditable voting system not later than the
10 election taking place November 3, 2026, the authority is eligible
11 to have 50 percent of the cost of retrofitting reimbursed under this
12 section.

13 (e) Subsections (a)-(c) do not apply to an election held
14 before September 1, 2026.

15 SECTION 2. This Act takes effect September 1, 2021.