

## **BILL ANALYSIS**

Senate Research Center  
88R3917 LRM-F

H.B. 1631  
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State Affairs  
5/4/2023  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Concerns have been raised regarding strict requirements for watchers appointed to observe a precinct polling place during Election Day. During Early Voting poll watchers can come and go without restrictions. However, on Election Day only watchers who have served for more than five continuous hours have the ability to come and go from the polling place, but the same is not true for watchers who serve for less time. This places an undue burden on watchers needing to use the restroom or take a break.

H.B. 1631 seeks to give all election watchers the ability to come and go from a precinct polling place by removing the five-hour continuous service requirement.

H.B. 1631 amends current law relating to hours of service by an election watcher.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 33.052, Election Code, as follows:

Sec. 33.052. HOURS OF SERVICE AT PRECINCT POLLING PLACE. Creates this section from existing text. Authorizes a watcher, rather than a watcher that serves for more than five continuous hours, to serve at the polling place during the hours the watcher chooses, except that if the watcher is present at the polling place when ballots are counted, the watcher is prohibited from leaving until the counting is complete.

Deletes existing Subsection (b) providing that a watcher, for purposes of this section, is considered to have served continuously if the watcher leaves the polling place for the purpose of using a wireless communication device prohibited from use in the polling place under Section 61.014 (Use of Certain Devices) and the watcher promptly returns.

SECTION 2. Effective date: September 1, 2023.