

BILL ANALYSIS

Senate Research Center
88R23667 PRL-F

H.B. 5180
By: Wilson; Bucy (Hughes)
State Affairs
5/13/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Constituents have raised concerns that current law does not clearly provide for the public's ability to examine election records after the 60-day period during which ballots must be secured and locked. H.B. 5180 seeks to provide clarity and ensure consistency between counties by requiring certain election records to be made available for public inspection beginning on the 61st day after election day.

H.B. 5180 amends current law relating to the public inspection of election records.

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 1.012, Election Code, by amending Subsection (e) and adding Subsections (f) and (g), as follows:

(e) Creates an exception under Subsection (f).

(f) Requires the general custodian of election records, beginning on the 61st day after election day, to make available for public inspection election records that are:

(1) original voted ballots;

(2) images of voted ballots, if a county maintains images of voted ballots; or

(3) cast vote records.

(g) Requires the custodian to adopt procedures to ensure the redaction of any personally identifiable information of the voter contained on a ballot before making the voted ballot available for public inspection.

SECTION 2. Effective date: September 1, 2023.