

## **BILL ANALYSIS**

Senate Research Center  
88R30494 PRL-F

C.S.H.B. 5180  
By: Wilson; Bucy (Hughes)  
State Affairs  
5/16/2023  
Committee Report (Substituted)

### **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.

(Original Author's/Sponsor's Statement of Intent)

C.S.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), (g), and (h), as follows:

(e) Requires that an election record, except as provided by Subsections (f) and (g), be available not later than the 15th day after election day in an electronic format for a fee of not more than \$50.

(f) Requires the general custodian of election records (custodian), beginning on the first day after the date the final canvass of an election is completed, to make available for public inspection election records that are:

- (1) images of voted ballots, if a county maintains images of voted ballots; or
- (2) cast vote records.

(g) Requires the custodian, beginning on the 61st day after election day, to make available for public inspection election records that are original voted ballots.

(h) 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.