

BILL ANALYSIS

Senate Research Center

S.B. 1661
By: Hughes
State Affairs
5/26/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1661 prohibits a central counting station from purchasing or using a ballot scanner unless that scanner is only capable of using a storage device, such as a flash drive, that can only be used once. This would ensure that the data storage device cannot be overridden or have the data changed once the data is entered. If the device's data is changed, then the device shall be unreadable.

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

S.B. 1661 amends current law relating to a ballot scan system used in a central counting station.

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 127.1301(b), Election Code, as follows:

(b) Authorizes an authority operating a central counting station under Chapter 127 (Processing Electronic Voting System Results) to only purchase or use a ballot scan system if the system is only capable of using a data transfer media device that:

- (1) once a cast vote record is written, is incapable of being modified without automatic detection of the modification and without rejection of the cast vote record; and
- (2) does not allow for the process under Subdivision (1) to be overridden or circumvented.

Deletes existing text prohibiting an authority operating a central counting station under this chapter from purchasing or using a centrally counted optical ballot scan system that uses a data storage disc on which information, once written, is capable of being modified.

SECTION 2. Effective date: September 1, 2023.