

By: Swanson, Manuel, Capriglione, Patterson,
Morales of Maverick

H.B. No. 1217

Substitute the following for H.B. No. 1217:

By: DeAyala

C.S.H.B. No. 1217

A BILL TO BE ENTITLED

AN ACT

relating to the administration of and procedures relating to early
voting by personal appearance.

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

SECTION 1. Section 19.004(a), Election Code, is amended to
read as follows:

(a) Except as provided by Subsection (d), state funds
disbursed under this chapter may be used only to:

(1) defray expenses of the registrar's office in
connection with voter registration, including additional expenses
related to:

(A) ~~[(1)]~~ implementation of the National Voter
Registration Act of 1993 (52 U.S.C. Section 20501 et seq.) ~~[(42~~
~~U.S.C. Section 1973gg et seq.)]~~;

(B) ~~[(2)]~~ complying with ~~[the]~~ weekly updating
requirements ~~[prescribed by Section 18.063]~~; and

(C) ~~[(3)]~~ the employment of temporary voter
registration personnel for not more than 39 weeks in a state fiscal
year; and

(2) defray the cost to the registrar's county of
keeping the polling places in the county open during the early
voting period as required under Sections 85.005(c), 85.006(e), and
85.064(d).

SECTION 2. Section 85.005(c), Election Code, is amended to

1 read as follows:

2 (c) Voting [~~In a county with a population of 55,000 or more,~~
3 ~~the voting~~] in a primary election or the general election for state
4 and county officers shall be conducted at the main early voting
5 polling place for at least 12 hours on each weekday of the last week
6 of the early voting period, and the voting in a special election
7 ordered by the governor shall be conducted at the main early voting
8 polling place for at least 12 hours on each of the last two days of
9 the early voting period. Voting under this subsection may not be
10 conducted earlier than 6 a.m. or later than 10 p.m. [~~Voting shall~~
11 ~~be conducted in accordance with this subsection in those elections~~
12 ~~in a county with a population under 55,000 on receipt by the early~~
13 ~~voting clerk of a written request for the extended hours submitted~~
14 ~~by at least 15 registered voters of the county. The request must be~~
15 ~~submitted in time to enable compliance with Section 85.067.~~]

16 SECTION 3. Section 85.006(e), Election Code, is amended to
17 read as follows:

18 (e) In a primary election or the general election for state
19 and county officers [~~in a county with a population of 55,000 or~~
20 ~~more~~], the early voting clerk shall order voting by personal
21 appearance at the main early voting polling place to be conducted on
22 the last Saturday of the early voting period for at least 12 hours,
23 except that voting may not be conducted earlier than 6 a.m. or later
24 than 10 p.m., and on the last Sunday of the early voting period for
25 at least six hours, except that voting may not be conducted earlier
26 than 9 a.m. or later than 10 p.m. [~~The early voting clerk shall~~
27 ~~order voting to be conducted at those times in those elections in a~~

1 ~~county with a population under 55,000 on receipt of a written~~
2 ~~request for those hours submitted by at least 15 registered voters~~
3 ~~of the county. The request must be submitted in time to enable~~
4 ~~compliance with Section 85.007.]~~ This subsection supersedes any
5 provision of this subchapter to the extent of any conflict.

6 SECTION 4. The heading to Section 85.064, Election Code, is
7 amended to read as follows:

8 Sec. 85.064. DAYS AND HOURS FOR VOTING: TEMPORARY BRANCH
9 ~~[IN POPULOUS COUNTY]~~.

10 SECTION 5. Section 85.064(d), Election Code, is amended to
11 read as follows:

12 (d) The authority authorized under Section 85.006 to order
13 early voting on a Saturday or Sunday may also order, in the manner
14 prescribed by that section, early voting to be conducted on a
15 Saturday or Sunday at any one or more of the temporary branch
16 polling places. In addition, the early voting clerk ~~[of a county~~
17 ~~covered by Section 85.006(e)]~~ shall order such voting in accordance
18 with Section 85.006(e) ~~[that subsection]~~ at each temporary branch
19 polling place established under Section 85.062(d).

20 SECTION 6. Section 85.068(a), Election Code, is amended to
21 read as follows:

22 (a) The early voting clerk shall post notice for each
23 election stating any dates and the hours that voting on Saturday or
24 Sunday will be conducted under Section 85.064(d) ~~[or 85.065(b)]~~, if
25 the early voting clerk is a county clerk or city secretary under
26 Section 83.002 or 83.005.

27 SECTION 7. The following provisions of the Election Code

1 are repealed:

2 (1) Section 85.064(a); and

3 (2) Section 85.065.

4 SECTION 8. The changes in law made by this Act apply only to
5 an election for which early voting begins on or after the effective
6 date of this Act.

7 SECTION 9. This Act takes effect September 1, 2023.