

1-1 By: Swanson, et al. H.B. No. 1217
1-2 (Senate Sponsor - Kolkhorst, et al.)
1-3 (In the Senate - Received from the House May 8, 2023;
1-4 May 9, 2023, read first time and referred to Committee on State
1-5 Affairs; May 16, 2023, reported adversely, with favorable
1-6 Committee Substitute by the following vote: Yeas 11, Nays 0;
1-7 May 16, 2023, sent to printer.)

1-8 COMMITTEE VOTE

1-9		Yea	Nay	Absent	PNV
1-10	Hughes	X			
1-11	Paxton	X			
1-12	Bettencourt	X			
1-13	Birdwell	X			
1-14	LaMantia	X			
1-15	Menéndez	X			
1-16	Middleton	X			
1-17	Parker	X			
1-18	Perry	X			
1-19	Schwertner	X			
1-20	Zaffirini	X			

1-21 COMMITTEE SUBSTITUTE FOR H.B. No. 1217 By: Hughes

1-22 A BILL TO BE ENTITLED
1-23 AN ACT

1-24 relating to the administration of and procedures relating to early
1-25 voting by personal appearance.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. Section 19.004(a), Election Code, is amended to
1-28 read as follows:

1-29 (a) Except as provided by Subsection (d), state funds
1-30 disbursed under this chapter may be used only to:

1-31 (1) defray expenses of the registrar's office in
1-32 connection with voter registration, including additional expenses
1-33 related to:

1-34 (A) ~~[(1)]~~ implementation of the National Voter
1-35 Registration Act of 1993 (52 U.S.C. Section 20501 et seq.) ~~[(42~~
1-36 ~~U.S.C. Section 1973gg et seq.)]~~;

1-37 (B) ~~[(2)]~~ complying with ~~[the]~~ weekly updating
1-38 requirements ~~[prescribed by Section 18.063]~~; and

1-39 (C) ~~[(3)]~~ the employment of temporary voter
1-40 registration personnel for not more than 39 weeks in a state fiscal
1-41 year; and

1-42 (2) if the registrar's county has a population of less
1-43 than 55,000, defray the cost to the registrar's county of keeping
1-44 the polling places in the county open during the early voting period
1-45 as required under Sections 85.005(c), 85.006(e), and 85.064(d).

1-46 SECTION 2. Section 85.005(c), Election Code, is amended to
1-47 read as follows:

1-48 (c) Voting ~~[In a county with a population of 55,000 or more,~~
1-49 ~~the voting]~~ in a primary election or the general election for state
1-50 and county officers shall be conducted at the main early voting
1-51 polling place for at least 12 consecutive hours on each weekday of
1-52 the last week of the early voting period, and the voting in a
1-53 special election ordered by the governor shall be conducted at the
1-54 main early voting polling place for at least 12 consecutive hours on
1-55 each of the last two days of the early voting period. Voting under
1-56 this subsection may not be conducted earlier than 6 a.m. or later
1-57 than 10 p.m. ~~[Voting shall be conducted in accordance with this~~
1-58 ~~subsection in those elections in a county with a population under~~
1-59 ~~55,000 on receipt by the early voting clerk of a written request for~~
1-60 ~~the extended hours submitted by at least 15 registered voters of the~~

2-1 ~~county. The request must be submitted in time to enable compliance~~
2-2 ~~with Section 85.067.]~~

2-3 SECTION 3. Section 85.006(e), Election Code, is amended to
2-4 read as follows:

2-5 (e) In a primary election or the general election for state
2-6 and county officers [~~in a county with a population of 55,000 or~~
2-7 ~~more~~], the early voting clerk shall order voting by personal
2-8 appearance at the main early voting polling place to be conducted on
2-9 the last Saturday of the early voting period for at least 12 hours,
2-10 except that voting may not be conducted earlier than 6 a.m. or later
2-11 than 10 p.m., and on the last Sunday of the early voting period for
2-12 at least six hours, except that voting may not be conducted earlier
2-13 than 9 a.m. or later than 10 p.m. [~~The early voting clerk shall~~
2-14 ~~order voting to be conducted at those times in those elections in a~~
2-15 ~~county with a population under 55,000 on receipt of a written~~
2-16 ~~request for those hours submitted by at least 15 registered voters~~
2-17 ~~of the county. The request must be submitted in time to enable~~
2-18 ~~compliance with Section 85.007.] This subsection supersedes any~~
2-19 ~~provision of this subchapter to the extent of any conflict.~~

2-20 SECTION 4. The heading to Section 85.064, Election Code, is
2-21 amended to read as follows:

2-22 Sec. 85.064. DAYS AND HOURS FOR VOTING: TEMPORARY BRANCH
2-23 [~~IN POPULOUS COUNTY~~].

2-24 SECTION 5. Section 85.064(d), Election Code, is amended to
2-25 read as follows:

2-26 (d) The authority authorized under Section 85.006 to order
2-27 early voting on a Saturday or Sunday may also order, in the manner
2-28 prescribed by that section, early voting to be conducted on a
2-29 Saturday or Sunday at any one or more of the temporary branch
2-30 polling places. In addition, the early voting clerk [~~of a county~~
2-31 ~~covered by Section 85.006(e)] shall order such voting in accordance
2-32 with Section 85.006(e) [~~that subsection~~] at each temporary branch
2-33 polling place established under Section 85.062(d).~~

2-34 SECTION 6. Section 85.068(a), Election Code, is amended to
2-35 read as follows:

2-36 (a) The early voting clerk shall post notice for each
2-37 election stating any dates and the hours that voting on Saturday or
2-38 Sunday will be conducted under Section 85.064(d) [~~or 85.065(b)~~], if
2-39 the early voting clerk is a county clerk or city secretary under
2-40 Section 83.002 or 83.005.

2-41 SECTION 7. The following provisions of the Election Code
2-42 are repealed:

- 2-43 (1) Section 85.064(a); and
- 2-44 (2) Section 85.065.

2-45 SECTION 8. The changes in law made by this Act apply only to
2-46 an election for which early voting begins on or after the effective
2-47 date of this Act.

2-48 SECTION 9. This Act takes effect September 1, 2023.

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