

By: Swanson

H.B. No. 5082

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the secretary of state to order a new election in certain counties.

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

SECTION 1. Title 14, Election Code, is amended by adding Subtitle E to read as follows:

SUBTITLE E. ORDER FOR NEW ELECTION BY SECRETARY OF STATE

CHAPTER 249. SHORTAGE OF BALLOTS IN CERTAIN COUNTIES

Sec. 249.001. STANDARD FOR NEW ELECTION. Notwithstanding any other law, in a county with a population of more than one million, the secretary of state shall order a new election if the secretary has good cause to believe that at least two percent of the total number of polling places in the county did not receive supplemental ballots under Section 51.008 for one or more hours after making a request for supplemental ballots to the authority responsible for distributing election supplies.

Sec. 249.002. PROCEDURES FOR NEW ELECTION. In establishing the procedures for a new election ordered under this chapter, the secretary of state shall have the same authority granted to a district court under Section 231.007.

Sec. 249.003. EXPENSES OF NEW ELECTION. The expenses of a new election ordered by the secretary of state under this chapter are paid from the same fund and by the same authority that paid the expenses of the previous election.

1           SECTION 2. The changes in law made by this Act apply only to  
2 an election ordered on or after the effective date of this Act.

3           SECTION 3. This Act takes effect September 1, 2023.