

By: Paxton

S.B. No. 808

A BILL TO BE ENTITLED

AN ACT

relating to the use of public schools as polling place locations.

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

SECTION 1. Section 43.031, Election Code, is amended by amending Subsection (c) and adding Subsection (f) to read as follows:

(c) The building selected for a polling place shall be a public building if practicable. Except as provided by Subsection (f), the [The] entity that owns or controls a public building shall make the building available for use as a polling place in any election that covers territory in which the building is located. If more than one authority requests the use of the building for the same day and simultaneous use is impracticable, the entity that owns or controls the building shall determine which authority may use the building.

(f) If the public building selected for a polling place under this section is located on a school campus and the board of trustees of the school district determines that the use of that building during school hours would conflict with an applicable campus security policy, the board is not required to make the building available for use as a polling place.

SECTION 2. The changes in law made by this Act apply beginning with the 2023-2024 school year.

SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2023.