

By: Bettencourt

S.B. No. 1935

A BILL TO BE ENTITLED

AN ACT

relating to requiring counties to cooperate with the secretary of state in randomized election audits; providing an administrative penalty.

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

SECTION 1. Section 127.351(c), Election Code, is amended to read as follows:

(c) Except as provided by Section 127.352, a [A] county selected to be audited may not be required to pay the cost of performing an audit under this section.

SECTION 2. Subchapter J, Chapter 127, Election Code, is amended by adding Section 127.352 to read as follows:

Sec. 127.352. COOPERATION BY COUNTY. (a) The secretary of state may request that a county selected under Section 127.351 provide to the secretary of state as necessary to complete an audit under this subchapter:

(1) records or other documents in the possession of the county; and

(2) the assistance of county employees.

(b) A county selected under Section 127.351 shall comply with a request made under Subsection (a) not later than the 14th day after the request is made.

(c) The secretary of state may assess an administrative penalty of not more than \$500 per day for each day following the

1 14th day after a request under Subsection (a) is made that the
2 county fails or refuses to comply with the request.

3 SECTION 3. The changes in law made by this Act apply only to
4 an audit initiated under Subchapter J, Chapter 127, Election Code,
5 as amended by this Act, on or after the effective date of this Act.
6 An audit initiated before the effective date of this Act is governed
7 by the law in effect immediately before the effective date of this
8 Act, and that law is continued in effect for that purpose.

9 SECTION 4. This Act takes effect September 1, 2023.