

SENATE AMENDMENTS

2nd Printing

By: Wilson, Bucy

H.B. No. 5180

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the public inspection of election records.

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

4 SECTION 1. Section 1.012, Election Code, is amended by
5 amending Subsection (e) and adding Subsections (f) and (g) to read
6 as follows:

7 (e) Except as provided by Subsection (f), an [An] election
8 record shall be available not later than the 15th day after election
9 day in an electronic format for a fee of not more than \$50.

10 (f) Beginning on the 61st day after election day, the
11 general custodian of election records shall make available for
12 public inspection election records that are:

13 (1) original voted ballots;

14 (2) images of voted ballots, if a county maintains
15 images of voted ballots; or

16 (3) cast vote records.

17 (g) The custodian shall adopt procedures to ensure the
18 redaction of any personally identifiable information of the voter
19 contained on a ballot before making the voted ballot available for
20 public inspection.

21 SECTION 2. This Act takes effect September 1, 2023.

By: Bryan Hughes
Substitute the following for H.B. No. 5180
By: Bryan Hughes

ADOPTED

MAY 24 2023

B. No. 5180

Secretary of the State

H.B. No. 5180

A BILL TO BE ENTITLED

AN ACT

relating to the public inspection of election records.

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

SECTION 1. Section 1.012, Election Code, is amended by amending Subsection (e) and adding Subsections (f), (g), and (h) to read as follows:

(e) Except as provided by Subsections (f) and (g), an [An] election record shall be available not later than the 15th day after election day in an electronic format for a fee of not more than \$50.

(f) Beginning on the first day after the date the final canvass of an election is completed, the general custodian of election records shall make available for public inspection election records that are:

(1) images of voted ballots, if a county maintains images of voted ballots; or

(2) cast vote records.

(g) Beginning on the 61st day after election day, the general custodian of election records shall make available for public inspection election records that are original voted ballots.

(h) The custodian shall adopt procedures to ensure the redaction of any personally identifiable information of the voter contained on a ballot before making the voted ballot available for public inspection.

SECTION 2. This Act takes effect September 1, 2023.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 25, 2023

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB5180 by Wilson (Relating to the public inspection of election records.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

There could be an impact on certain units of local government resulting from the bill's requirement that the general custodian of election records make certain election records available for public inspection.

Source Agencies:

LBB Staff: JMc, SD, SMAT, CMA, NTh, MOc

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 16, 2023

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB5180 by Wilson (relating to the public inspection of election records.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

There could be an impact on certain units of local government resulting from the bill's requirement that the general custodian of election records make certain election records available for public inspection.

Source Agencies:

LBB Staff: JMc, SMAT, CMA, NTh, MOc

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 14, 2023

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB5180** by Wilson (Relating to the public inspection of election records.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

There could be an impact on certain units of local government resulting from the bill's requirement that the general custodian of election records make certain election records available for public inspection beginning on the 61st day after election day.

Source Agencies:

LBB Staff: JMc, SMAT, NTh, MOc, CMA

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 24, 2023

TO: Honorable Reggie Smith, Chair, House Committee on Elections

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB5180 by Wilson (relating to the public inspection of election records.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

There could be an impact on certain units of local government resulting from the bill's requirement that the general custodian of election records make certain election records available for public inspection beginning on the 61st day after election day.

Source Agencies:

LBB Staff: JMc, MOc, CMA, NTh

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 11, 2023

TO: Honorable Reggie Smith, Chair, House Committee on Elections

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB5180 by Wilson (Relating to the disclosure of anonymous voted ballots under the public information law.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

There could be an impact on certain units of local government resulting from the bill's requirement that the general custodian of election records provide public access to certain election records on the 61st day after election day.

Source Agencies:

LBB Staff: JMc, MOc, CMA, NTh