

House Bill 1217
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

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

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

(2) defray the cost to the registrar's county of keeping the polling places in the county open during the early voting period as required under Sections 85.005(c), 85.006(e), and 85.064(d).

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

(c) Voting ~~[In a county with a population of 55,000 or more, the voting]~~ in a primary election or the general election for state and county officers shall be conducted at the main early voting polling place for at least 12 hours on each weekday of the last week of the early voting period, and the voting in a special election ordered by the governor shall be conducted at the main early voting polling place for at least 12 hours on each of the last two days of the early voting period. Voting

SENATE VERSION (IE)

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

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

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

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

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

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

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

(c) Voting ~~[In a county with a population of 55,000 or more, the voting]~~ in a primary election or the general election for state and county officers shall be conducted at the main early voting polling place for at least 12 consecutive hours on each weekday of the last week of the early voting period, and the voting in a special election ordered by the governor shall be conducted at the main early voting polling place for at least 12 consecutive hours on each of the last two days of the early

CONFERENCE

House Bill 1217
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

under this subsection may not be conducted earlier than 6 a.m. or later than 10 p.m. ~~[Voting shall be conducted in accordance with this subsection in those elections in a county with a population under 55,000 on receipt by the early voting clerk of a written request for the extended hours submitted by at least 15 registered voters of the county. The request must be submitted in time to enable compliance with Section 85.067.]~~

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

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

SENATE VERSION (IE)

voting period. Voting under this subsection may not be conducted earlier than 6 a.m. or later than 10 p.m. ~~[Voting shall be conducted in accordance with this subsection in those elections in a county with a population under 55,000 on receipt by the early voting clerk of a written request for the extended hours submitted by at least 15 registered voters of the county. The request must be submitted in time to enable compliance with Section 85.067.]~~

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

(e) In a primary election or the general election for state and county officers ~~[in a county with a population of 55,000 or more]~~, the early voting clerk shall order voting by personal appearance at the main early voting polling place to be conducted on the last Saturday of the early voting period for at least 12 consecutive hours, except that voting may not be conducted earlier than 6 a.m. or later than 10 p.m., and on the last Sunday of the early voting period for at least six consecutive hours, except that voting may not be conducted earlier than 9 a.m. or later than 10 p.m. ~~[The early voting clerk shall order voting to be conducted at those times in those elections in a county with a population under 55,000 on receipt of a written request for those hours submitted by at least 15 registered voters of the county. The request must be submitted in time to enable compliance with Section 85.007.]~~ This subsection supersedes any provision of this subchapter to the extent of any conflict. [FA1(1)-(2)]

CONFERENCE

House Bill 1217
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

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

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

SECTION 7. The following provisions of the Election Code are repealed:

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

SENATE VERSION (IE)

SECTION 4. Same as House version.

SECTION 5. Same as House version.

SECTION 6. Same as House version.

SECTION 7. Same as House version.

CONFERENCE

House Bill 1217
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

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

SECTION 8. Same as House version.

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

SECTION 9. Same as House version.