

## **BILL ANALYSIS**

Senate Research Center  
89R25617 LRM-D

H.B. 3909  
By: Hickland et al. (Zaffirini)  
State Affairs  
5/13/2025  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law prohibits the use of wireless communication devices within 100 feet of a voting station. At many polling locations, this effectively bans people from using their phones while waiting in line outside to vote—an unnecessary restriction that is difficult and time-consuming for election workers to enforce.

H.B. 3909 would limit the prohibition on wireless communication devices to only the room where voting is taking place.

H.B. 3909 amends current law relating to the use of a wireless communication device at a polling place.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 61.014, Election Code, by amending Subsection (a) and adding Subsection (e), as follows:

(a) Prohibits a person, except as permitted by Sections 61.012 (Access by Persons with Disabilities) and 61.013 (Access by Persons with Disabilities: Elections of Certain Political Subdivisions), from using a wireless communication device within a room in which voting is taking place, rather than within 100 feet of a voting station. Makes a nonsubstantive change.

(e) Requires the secretary of state to require a presiding judge to post a notice that states the prohibition on the use of a wireless communication device in a prominent and reasonably visible location outside of a room in which voting is taking place.

SECTION 2. Effective date: September 1, 2025.