

## **BILL ANALYSIS**

Senate Research Center  
89R32531 LRM-D

C.S.H.B. 3909  
By: Hickland et al. (Zaffirini)  
State Affairs  
5/23/2025  
Committee Report (Substituted)

### **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.

(Original Author's/Sponsor's Statement of Intent)

C.S.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 100 feet of a voting station or, if a polling station uses an electronic pollbook system hardwired to a printer, within a room in which voting is taking place. Makes nonsubstantive changes.

(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.