

By: Hall

S.B. No. 77

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of paper ballots and certain electronic devices
3 in conducting an election.

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

5 SECTION 1. Section 52.075, Election Code, is amended to
6 read as follows:

7 Sec. 52.075. MODIFICATION OF BALLOT FORM FOR CERTAIN VOTING
8 SYSTEMS. (a) The secretary of state may prescribe the form and
9 content of a ballot for an election using a voting system, including
10 an electronic voting system or a voting system that uses direct
11 recording electronic voting machines [~~or ballot marking devices~~],
12 to conform to the formatting requirements of the system.

13 (b) In this section, [~~"ballot marking device,"~~] "direct
14 recording electronic voting machine," "electronic voting system,"
15 and "voting system" have the meanings assigned by Section 121.003.

16 SECTION 2. Section 63.002(d), Election Code, is amended to
17 read as follows:

18 (d) A [~~The~~] signature roster [~~may be~~] in the form of an
19 electronic device may not be used in an election [~~approved by the~~
20 ~~secretary of state that is capable of capturing a voter's signature~~
21 ~~next to the voter's name on the device. The secretary of state shall~~
22 ~~adopt rules governing the processing of electronic signatures~~
23 ~~captured under this subsection~~].

24 SECTION 3. Section 63.003(d), Election Code, is amended to

1 read as follows:

2 (d) A ~~[The]~~ poll list ~~[may be]~~ in the form of an electronic
3 device may not be used in an election ~~[approved by the secretary of~~
4 ~~state. The secretary of state shall adopt rules governing the use~~
5 ~~of electronic poll lists]~~.

6 SECTION 4. Section 63.004(e), Election Code, is amended to
7 read as follows:

8 (e) A combination form ~~[may be]~~ in the form of an electronic
9 device may not be used in an election ~~[approved by the secretary of~~
10 ~~state. The secretary of state shall adopt rules governing the~~
11 ~~minimum requirements and approval of an electronic device used for~~
12 ~~any form used in connection with the acceptance of voters at a~~
13 ~~polling place]~~.

14 SECTION 5. Subchapter A, Chapter 125, Election Code, is
15 amended by adding Sections 125.0071 and 125.011 to read as follows:

16 Sec. 125.0071. PROVISION OF PAPER BALLOT. An election
17 officer at a polling place where an electronic voting system is used
18 must provide a paper ballot to each voter who requests one. A paper
19 ballot provided under this section must be printed at the time the
20 request is made and, after being voted by the voter, must be scanned
21 at the polling place with an optical scanner.

22 Sec. 125.011. USE OF BALLOT MARKING DEVICE. A voting system
23 that consists of a ballot marking device may not be used in an
24 election.

25 SECTION 6. Section 31.014, Election Code, is repealed.

26 SECTION 7. The changes in law made by this Act apply only to
27 an election held on or after the effective date of this Act. An

1 election held before the effective date of this Act is governed by
2 the law in effect when the election was held, and that law is
3 continued in effect for that purpose.

4 SECTION 8. This Act takes effect September 1, 2025.