

1-1 By: Hughes S.B. No. 2309
1-2 (In the Senate - Filed March 11, 2025; March 25, 2025, read
1-3 first time and referred to Committee on State Affairs;
1-4 April 7, 2025, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 7, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Hughes	X		
1-9	Paxton	X		
1-10	Bettencourt	X		
1-11	Birdwell	X		
1-12	Hall	X		
1-13	Hinojosa of Nueces	X		
1-14	Middleton	X		
1-15	Parker	X		
1-16	Perry		X	
1-17	Schwertner	X		
1-18	Zaffirini		X	

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to election integrity and security of ballot boxes,
1-22 including by preventing fraud in the conduct of elections in this
1-23 state; authorizing a penalty.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 ARTICLE 1. GENERAL PROVISIONS

1-26 SECTION 1.01. SHORT TITLE. This Act may be cited as the
1-27 Ballot Box Election Security, Transparency, and Accountability
1-28 Act.

1-29 SECTION 1.02. Chapter 33, Texas Election Code, is amended
1-30 to read as follows:

1-31 Sec. 33.0605. OBSERVING DATA STORAGE SEALING AND TRANSFER.

1-32 (a) A watcher appointed to serve at a polling place in an election
1-33 who is available at the time of the action may observe all election
1-34 activities relating to the opening and closing of the polling
1-35 place, including starting up and closing voting system equipment,
1-36 printing of all types of voting system tapes, inspecting of ballot
1-37 boxes, the sealing and transfer of a memory card, flash drive, hard
1-38 drive, data storage device, or other medium now existing or later
1-39 developed used by the voting system equipment.

1-40 (b) Notwithstanding any other provision of this code, a
1-41 watcher duly accepted for service at a polling location is entitled
1-42 to follow the transfer and delivery of election materials,
1-43 including ballot boxes, from the polling place at which the watcher
1-44 was accepted to a regional tabulating center, the central counting
1-45 station, the main early voting site, the early voting clerk's
1-46 office, a secured storage location, or any other location
1-47 designated to receive, store, and process election materials. The
1-48 authority responsible for administering a regional tabulating
1-49 center or another location where election materials are delivered,
1-50 processed, and stored must accept duly appointed watchers for
1-51 service in the same manner a watcher is accepted for service under
1-52 Section 33.051 and must accept the same number of watchers that may
1-53 serve under Section 33.007(a).

1-54 SECTION 1.03. Chapter 127, Section 127.1232, Election Code,
1-55 is amended to read as follows:

1-56 Sec. 127.1232. SECURITY OF VOTED BALLOTS. (b) The general
1-57 custodian of election records in a county with a population of
1-58 100,000 or more shall implement a video surveillance system that
1-59 retains a record of all areas containing voted ballots, including
1-60 but not limited to all doorways, halls, and offices:

1-61 (1) from the time the voted ballots during early

voting and on election day are delivered to the early voting ballot board, the early voting clerk, regional tabulating center, and the central counting station, or any other location designated for delivery, until the final canvass of precinct election returns; and

(2) from the time the absentee voted ballots are delivered to the elections office, signature verification committee or early voting ballot board until the final canvass of precinct election returns.

(c) A video from a system implemented under Subsection (b) shall be made available to the public by a livestream and must include a large analog clock visible in each area under surveillance.

(e) A person that violates this section commits an offense. An offense under this section is a Class A misdemeanor for the first offense. Multiple offenses thereafter are felonies of the third degree.

SECTION 1.04. Chapter 127, Section 127.201, Texas Election Code, shall be amended as follows:

Sec. 127.201. PARTIAL COUNT OF ELECTRONIC VOTING SYSTEM BALLOTS BY GENERAL CUSTODIAN. (d) Each candidate in the election is entitled to be present for the retrieving of ballot boxes, opening of ballot box seals, ballot sorting, counting of ballots, and resealing of ballot boxes for the partial count. Each candidate, and treasurer of a specific-purpose political action committee that was involved in the election [at the count and] is entitled to have a watcher and representative present to monitor all activities associated with the partial count. A representative must deliver a certificate of appointment to the general custodian at the time the representative reports for service. The certificate must be in writing and must include:

(1) the printed name and signature of the representative;

(2) the election subject to the count; and

(3) the printed name and signature of the candidate making the appointment.

SECTION 1.05. This Act takes effect September 1, 2025.

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