

1-1 By: Parker, et al. (Senate Sponsor - Hughes) H.B. No. 3276
 1-2 (In the Senate - Received from the House May 12, 2021;
 1-3 May 13, 2021, read first time and referred to Committee on State
 1-4 Affairs; May 22, 2021, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 May 22, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3276 By: Hughes

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

1-21 relating to the security of voted ballots.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Subchapter A, Chapter 65, Election Code, is
 1-24 amended by adding Section 65.016 to read as follows:
 1-25 Sec. 65.016. VIDEO RECORDING OF COUNTING LOCATIONS. (a)
 1-26 This section applies to:
 1-27 (1) a primary election;
 1-28 (2) the general election for state and county
 1-29 officers; and
 1-30 (3) an election in which the county clerk serves as the
 1-31 early voting clerk.
 1-32 (b) The general custodian of election records shall
 1-33 implement a video surveillance system that retains a record of all
 1-34 areas containing voted ballots from the time the ballots are
 1-35 delivered to the general custodian of election records until the
 1-36 canvass of precinct election returns. The video recording shall be
 1-37 retained in the same manner as a precinct election record under
 1-38 Section 66.058.
 1-39 (c) Subject to Subsection (e), the general custodian of
 1-40 election records shall provide a live video stream of any election
 1-41 activity recorded under Subsection (b) on the Internet website of
 1-42 the authority administering the election.
 1-43 (d) The secretary of state shall prescribe procedures
 1-44 necessary for the implementation of this section.
 1-45 (e) The general custodian of election records in a county
 1-46 with a population of less than 100,000 may, but is not required to,
 1-47 comply with the live video stream requirement under Subsection (c).
 1-48 SECTION 2. Section 31.009, Election Code, is amended by
 1-49 amending Subsection (b) and adding Subsection (c) to read as
 1-50 follows:
 1-51 (b) If state funds are made available to provide for the
 1-52 security of voted ballots under Section 65.016, the secretary of
 1-53 state shall administer and distribute the funds to counties as
 1-54 appropriate to most effectively facilitate the purpose for which
 1-55 the funds are made available.
 1-56 (c) The secretary of state shall prescribe any necessary
 1-57 rules and take any appropriate action to implement this section.
 1-58 SECTION 3. Subchapter A, Chapter 31, Election Code, is
 1-59 amended by adding Section 31.0112 to read as follows:
 1-60 Sec. 31.0112. VIDEO RECORDING OF COUNTING LOCATIONS FUND.

2-1 (a) The video recording of counting locations fund is an account in
2-2 the general fund.

2-3 (b) The secretary of state shall establish a grant program
2-4 to assist counties with the implementation of this section.

2-5 (c) If a federal program makes funding available to this
2-6 state for the purpose of video recording of ballot counting
2-7 locations, state funds appropriated under this section may be used
2-8 to meet federal matching requirements under the federal program.

2-9 (d) The fund is exempt from the application of Section
2-10 403.095, Government Code.

2-11 SECTION 4. The governing body of a political subdivision is
2-12 required to implement a provision of this Act only if the
2-13 legislature appropriates money specifically for that purpose. If
2-14 the legislature does not appropriate money specifically for that
2-15 purpose, the governing body may, but is not required to, implement a
2-16 provision of this Act using other appropriations available for that
2-17 purpose.

2-18 SECTION 5. This Act takes effect September 1, 2021.

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