

BILL ANALYSIS

C.S.H.B. 1708
By: White
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Recent elections have highlighted the need to protect election integrity and to ensure the proper maintenance of voting records. Concerns have been raised regarding the use of electronic voting machines in Texas that do not produce a voter-verifiable paper record. Texas is one of roughly a dozen states that does not have a statewide requirement to keep a paper record for each ballot cast. C.S.H.B. 1708 seeks to address this issue by phasing out the use of voting systems that do not produce these verifiable records by September 1, 2030.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1708 amends the Election Code to prohibit an authority of a political subdivision, beginning September 1, 2021, from purchasing a voting system consisting of direct recording electronic voting machines that does not produce a voter-verifiable paper record. The bill prohibits the use of such a voting system in an election, beginning September 1, 2030.

C.S.H.B. 1708 expands eligibility criteria for participation in the countywide polling place program to include counties that use ballot marking devices, hand-marked scannable paper ballots, or any other voting system equipment the secretary of state determines is capable of processing votes in the county, in addition to meeting other eligibility requirements.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1708 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The original prohibits the use of a voting system consisting of direct recording electronic voting machines in an election, beginning September 1, 2023. The substitute changes that date to September 1, 2030.

The substitute includes a provision not included in the original that expands eligibility criteria for participation in the countywide polling place program on the basis of a county's use of ballot marking devices, hand-marked scannable paper ballots, or any other voting system equipment the secretary of state determines is capable of processing votes in the county.