

## **BILL ANALYSIS**

Senate Research Center  
88R2608 MLH-D

S.B. 397  
By: Hall  
State Affairs  
3/23/2023  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The 87th Legislature, 2nd Called Session, passed S.B. 1 to increase the security of elections. The legislation added the requirement to print results tapes immediately after closing the polls on election day, with each election judge or alternate election judge required to sign the printed tapes. This imposed an important chain-of-custody measure. However, the provision did not extend to the early voting period, leaving the statute inconsistent on this matter and neglecting to enact the same safeguards for early voting.

This bill amends Section 61.002(c), Election Code, to require the printing of results tapes immediately after closing the polls for voting on the last day of early voting by personal appearance.

The presiding election judge or alternate election judge is already required to print a result tape showing the number of votes cast for each candidate or ballot measure for each voting machine immediately after closing the polls for voting on election day. This bill imposes a uniform process for printing results tapes.

As proposed, S.B. 397 amends current law relating to the procedure for closing 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 61.002(c), Election Code, to require the presiding election judge or alternate election judge, immediately after closing the polls for voting on election day and on the last day of early voting by personal appearance, to print the tape to show the number of votes cast for each candidate or ballot measure for each voting machine.

SECTION 2. Effective date: September 1, 2023.