

BILL ANALYSIS

Senate Research Center
79R962 DRH-D

S.B. 94
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, Texas election law does not require any type of paper record for direct electronic recording (DRE) voting machines. There are issues regarding the accuracy and integrity of DRE voting machines, due to the lack of a paper record.

As proposed, S.B. 94 requires DRE voting machines to produce a contemporaneous paper record. This will serve to increase public confidence in the accuracy and integrity of Texas's elections. The paper record copy itself must list the contests on the ballot and the voter's choices in those contests. Additionally, this bill imposes certification requirements on voting systems using DRE machines, providing that these voting systems must be certified by a nationally recognized testing laboratory and must meet the minimum requirements of a standards document.

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 Chapter 129, Election Code, by adding Section 129.002, as follows:

Sec. 129.002. PAPER AUDIT TRAIL REQUIRED. Prohibits a voting system consisting of direct recording electronic voting machines from being used in an election unless the system has met certain requirements that include creating a contemporaneous auditable paper record copy of each electronic ballot that allows a voter to confirm the choices the voter made through both a visual and a non-visual method prior to casting the ballot.

(b) Requires the paper record copy to list the contests on the ballot and the voter's choices in those contests. Provides that the paper record copy is not a ballot.

SECTION 2. Effective date: January 1, 2006.