

CHAPTER 498

H.B. No. 162

AN ACT

relating to electioneering at a county courthouse during early voting.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 85.036, Election Code, is amended to read as follows:

Sec. 85.036. ELECTIONEERING PROHIBITED. (a) *Except as provided by Subsection (b), during* [During] the time an early voting polling place is open for the conduct of early voting, a person may not electioneer for or against any candidate, measure, or political party in or within a certain distance from the building or structure in which the early voting polling place is located, as follows:

- (1) for a building containing the main early voting polling place, a person may not electioneer in the room in which the polling place is located or within 30 feet of the entrance to the room in which the polling place is located;
- (2) for a building that is also used as a precinct polling place, a person may not electioneer within 100 feet of an outside door through which a voter may enter the building in which the polling place is located; and
- (3) for any other structure, a person may not electioneer within 30 feet of the entrance to the voting area.

*(b) For a county courthouse, subcourthouse, or courthouse annex, a person may not electioneer in the building or within 30 feet of an outside door through which a voter may enter the building in which the polling place is located if the commissioners court issues an order to that effect. The order must be recorded in the commissioners court's minutes not later than the 10th day before the date early voting is to be conducted in the building.*

(c) [(b)] During the early voting period, the early voting clerk shall keep continuously posted:

- (1) at the entrance to the room or area, as applicable, in which the early voting polling place is located, a sign on which is printed in large letters "Early Voting Polling Place"; and
- (2) at the outer limits of the area within which electioneering is prohibited, a sign on which is printed in large letters "Distance Marker. No electioneering between this point and the entrance to the early voting polling place."

(d) [(e)] A person commits an offense if the person electioneers in violation of Subsection (a) or (b).

(e) [(d)] An offense under this section is a Class C misdemeanor.

(f) [(e)] Sections 61.003 and 61.004 do not apply to early voting polling places.

**SECTION 2.** This Act takes effect September 1, 1993.

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 20, 1993, by a non-record vote; the House concurred in Senate amendments on May 22, 1993, by a non-record vote; passed by the Senate, with amendments, on May 14, 1993: Yeas 29, Nays 0.

Approved June 3, 1993.

Effective Sept. 1, 1993.