

BILL ANALYSIS

C.S.H.B. 2725
By: Goldman
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested observers report that counties and other political subdivisions holding an election are given considerable latitude in determining the dates, hours, and locations of mobile voting sites but contend that there is little oversight of these polling places. These observers maintain that entities holding elections target locations or populations that are likely to be in support of a ballot initiative, such as a school district bond proposition. The observers also contend that this targeting practice has been used by elected officials to tilt election results in a particular party's favor. The observers agree that mobile voting in theory is a means to provide convenient voting and to attract voters who may not otherwise cast a ballot but assert that, in practice, mobile voting may lead to confusion and inconvenience for voters and biased election results. C.S.H.B. 2725 seeks to address these concerns.

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. 2725 amends the Election Code to authorize the location of a movable temporary branch polling place to be changed only after the polling place has been open for at least two days of voting at its current location and to require early voting by personal appearance at such a polling place to be conducted for at least eight hours on each day voting is conducted.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2725 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 85.063, Election Code, is amended to read as follows:

Sec. 85.063. DAYS AND HOURS FOR VOTING: PERMANENT OR TEMPORARY BRANCH. Early voting by personal appearance at each permanent or temporary branch polling place shall be conducted on the same days and during the same hours as voting is conducted at the main early voting polling place.

SECTION 2. Section 85.068(a), Election Code, is amended to read as follows:

(a) The early voting clerk shall post notice for each election stating any dates and the hours that voting on Saturday or Sunday will be conducted at a temporary branch polling place [~~under Section 85.064(d) or 85.065(b)~~], if the early voting clerk is a county clerk or city secretary under Section 83.002 or 83.005.

SECTION 3. Sections 85.064 and 85.065, Election Code, are repealed.

No equivalent provision. (*But see SECTION 1 above.*)

No equivalent provision. (*But see SECTION 1 above.*)

SECTION 4. This Act takes effect September 1, 2015.

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision. (*But see SECTIONS 1 and 2 below.*)

No equivalent provision.

No equivalent provision.

SECTION 1. Section 85.062, Election Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) The location of a movable polling place established under this section may be changed only after the polling place has been open for at least two days of voting at its current location.

SECTION 2. Subchapter C, Chapter 85, Election Code, is amended by adding Section 85.0651 to read as follows:

Sec. 85.0651. HOURS FOR VOTING: MOVABLE TEMPORARY BRANCH. Notwithstanding Sections 85.064 and 85.065, early voting by personal appearance at a movable temporary branch polling place established under Section 85.062 shall be conducted for at least eight hours on each day voting is conducted.

SECTION 3. Same as introduced version.