

BILL ANALYSIS

C.S.H.B. 3456
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Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested observers explain the duties of a district executive committee of a political party for a multicounty district and note that such a committee currently consists of the county chair of each county that is wholly situated in the district and one precinct chair from each county that is only partly situated in the district. These observers believe that the composition of such a committee should be changed and that matters relating to filling a vacancy in a nomination or transacting other business should be addressed. C.S.H.B. 3456 seeks to implement these goals.

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. 3456 amends the Election Code to establish that the district executive committee of a political party for a district situated in more than one county consists of the members of each county executive committee who reside in the district and to remove provisions establishing that the committee consists of the county chair of each county that is wholly situated in the district and one precinct chair from each county that is only partly situated in the district, elected by and from among the precinct chairs of the precincts in that part of the county.

C.S.H.B. 3456 requires the state chair to call a meeting of the district executive committee to convene either as a whole in one location or separately in each county in the district at any time after the precinct chairs take office to fill a vacancy in a nomination or to transact any other business by the committee. The bill requires the state chair to notify the members of the district executive committee in advance of the time, place, and purpose of any meeting or meetings. The bill requires, if a vacancy exists in the office of senatorial district chair for a county immediately before the date for conducting the regular drawing for a place on the general primary ballot, the appropriate county executive committee members to convene on that date at the hour and place specified by the county chair to elect that officer. The bill requires the members of the district executive committee, if the committee is meeting as a whole in one location, to elect a chair at the committee's first meeting from among the committee membership. The bill requires the members of the district executive committee meeting in each county, if the committee is meeting separately in each county, to elect a chair at the committee's first meeting from among the committee membership in that county. The bill, for the purposes of filling a vacancy in a nomination, requires the state chair to canvass the votes of the district executive committee when meeting separately in each county and to make the required certification of a replacement nominee for placement on the ballot.

C.S.H.B. 3456 requires the state executive committee by rule to determine the quorum requirements for a district executive committee to conduct business. The bill authorizes the state executive committee by rule to require a specific deadline for filling vacancies on a district executive committee prior to that committee filling a vacancy in nomination for public office but prohibits the state executive committee setting the deadline for a date later than the date that the vacancy in nomination for public office must be filled. The bill authorizes a rule adopted by the state executive committee regarding such a deadline to also include a requirement that a county executive committee publicly post on the committee's website the names and addresses of district executive committee members as of the deadline specified in the rule.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3456 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 171.054(a), Election Code, is amended to read as follows:

(a) The district executive committee for a district situated in more than one county consists of the precinct chairs of the county election precincts in the district[:

~~[(1) the county chair of each county that is wholly situated in the district; and~~

~~[(2) one precinct chair from each county that is only partly situated in the district, elected by and from among the precinct chairs of the precincts in that part of the county].~~

SECTION 2. Section 171.054(b), Election Code, is repealed.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 171.054, Election Code, is amended to read as follows:

Sec. 171.054. COMMITTEE COMPOSITION: DISTRICT SITUATED IN MORE THAN ONE COUNTY; FIRST MEETING.

(a) The district executive committee for a district situated in more than one county consists of the members of each county executive committee who reside in the district [:

~~[(1) the county chair of each county that is wholly situated in the district; and~~

~~[(2) one precinct chair from each county that is only partly situated in the district, elected by and from among the precinct chairs of the precincts in that part of the county].~~

(b) The [Except as provided by Subsection (c), the] state [county] chair shall call a meeting of the district executive committee to convene either as a whole in one location or separately in each county in the district at any time after the precinct chairs take office to fill a vacancy in a nomination or to transact any other business by the committee [elect the precinct chair who is to serve on a district executive committee]. The state [county] chair shall notify the members of the district executive committee [appropriate precinct chairs] in advance of the [meeting of its] time, place, and purpose of any

~~meeting or meetings. [Not later than the third day after the date the district executive committee member is elected, the county chair shall deliver to the state chair written notice of the name and address of the person elected.]~~

No equivalent provision.

(c) If a vacancy exists in the office of senatorial district [precinct] chair for a county [on a senatorial district executive committee] immediately before the date for conducting the regular drawing for a place on the general primary ballot, the appropriate county executive committee members [precinct chairs] shall convene on that date at the hour and place specified by the county chair to elect that officer.

No equivalent provision.

(d) If the district executive committee is meeting as a whole in one location, the [The] members of the [a district executive] committee shall elect a chair at the committee's first meeting from among the committee membership. If the district executive committee is meeting separately in each county, the members meeting in each county shall elect a chair at the committee's first meeting from among the committee membership in that county.

No equivalent provision.

(e) For the purposes of filling a vacancy in a nomination, the [The] state chair shall canvass the votes of the district executive committee when meeting separately in each county and make the certification required by Section 145.037 [call the first meeting of the district executive committee and shall notify each committee member in advance of the meeting of its time, place, and purpose].

No equivalent provision.

(f) The state executive committee shall by rule determine the quorum requirements for a district executive committee to conduct business.

No equivalent provision.

(g) The state executive committee may by rule require a specific deadline for filling vacancies on a district executive committee prior to that committee filling a vacancy in nomination for public office, but may not set the deadline for a date later than the date that the vacancy in nomination for public office must be filled. A rule adopted under this subsection may also include a requirement that a county executive committee publicly post on the committee's website the names and addresses of district executive committee members as of the deadline specified in the rule.

SECTION 3. This Act takes effect
September 1, 2015.

SECTION 2. Same as introduced version.