

## **BILL ANALYSIS**

C.S.H.B. 1149  
By: Davis, Sarah  
Elections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties contend that the current process by which notices for a general or special election are published is no longer the most efficient way to notify the public of precinct polling locations for the election and is increasingly expensive. C.S.H.B. 1149 seeks to ensure a more effective notification process while lowering the cost to taxpayers by authorizing the notice printed in a newspaper for certain elections to provide the address of a website that lists the location of each polling place and a telephone number a person may call to obtain the same information.

### **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. 1149 amends the Election Code to authorize notice of a general or special election taking place in a county with a population of more than 3.3 million that is given by publishing the notice in a newspaper to provide the address of a website that lists the location of each polling place and a phone number a person may call to obtain the same information instead of stating the location of each polling place.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1149 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 4.004, Election Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

#### **HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Section 4.004, Election Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

85R 27762

17.122.344

Substitute Document Number: 85R 26202

- (a) The notice of a general or special election must state:
- (1) the nature and date of the election;
  - (2) except as provided by Subsections [Subsection] (c) and (e), the location of each polling place;
  - (3) the hours that the polls will be open; and
  - (4) any other information required by other law.
- (e) If notice of an election is given by publishing the notice in a newspaper, the notice may provide the address of an Internet website that lists the location of each polling place instead of stating the location of each polling place.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

- (a) The notice of a general or special election must state:
- (1) the nature and date of the election;
  - (2) except as provided by Subsections [Subsection] (c) and (e), the location of each polling place;
  - (3) the hours that the polls will be open; and
  - (4) any other information required by other law.
- (e) If notice of an election taking place in a county with a population of more than 3.3 million is given by publishing the notice in a newspaper, the notice may provide the address of an Internet website that lists the location of each polling place, and a phone number a person may call to obtain the same information, instead of stating the location of each polling place.

SECTION 2. Same as introduced version.