

BILL ANALYSIS

C.S.H.B. 1639
By: Vo
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties are concerned that political parties lack an efficient means of informing their constituencies about party conventions and other party information. C.S.H.B. 1639 seeks to provide for such means by authorizing the distribution of a notice regarding party conventions and other relevant 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 rulemaking authority is expressly granted to the secretary of state in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 1639 amends the Election Code to authorize a political party to prepare a notice not larger than letter-sized for distribution to each voter participating in the party's primary election at the time the voter is accepted for voting. The bill authorizes the notice to include information describing the party's convention process, information detailing the time and place of the party's first level convention process, contact information for the county and state political parties, and website links for information and registration for party conventions. The bill requires the state chair of a political party to prescribe a form for a notice that may be used in any county and authorizes a county chair of a political party to prescribe a specific notice for the county chair's county. The bill requires the same notice to be used in all precincts within a county.

C.S.H.B. 1639 requires a notice to be approved by the secretary of state and provides that only the convention location and time may be added without the secretary of state's approval to a notice prescribed by the state chair that is used by a county chair of a political party. The bill requires a county chair to supply a notice prepared according to the bill's provisions to the authority conducting the election not later than the 30th day before the date early voting by personal appearance begins. The bill requires the secretary of state to prescribe procedures and adopt rules as necessary to implement the bill's provisions.

C.S.H.B. 1639 authorizes an affiliation certificate issued by a presiding election judge to a voter who is accepted to vote without presenting a voter registration certificate to be combined with the party convention notice. The bill establishes that an election officer at a primary election polling place is not required to comply with the requirement to stamp the party's name in the party affiliation space of a voter's registration certificate if the combined form is used.

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. 1639 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

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 162.004(c), Election Code, is amended.

SECTION 1. Same as introduced version.

SECTION 2. Subchapter E, Chapter 172, Election Code, is amended by adding Section 172.1114 to read as follows:

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Sec. 172.1114. DISTRIBUTION OF NOTICE OF CONVENTIONS.

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A political party may prepare a letter-sized notice for distribution to each voter participating in the party's primary election at the time the voter is accepted for voting.

(a) A political party may prepare a notice not larger than letter-sized for distribution to each voter participating in the party's primary election at the time the voter is accepted for voting.

The notice must contain

(b) The notice may include:

information detailing the time and place of the party's conventions and may include contact information for the county and state political parties and website links for information and registration for party conventions.

(1) information describing the party's convention process;

(2) information detailing the time and place of the party's first level convention process;

(3) contact information for the county and state political parties; and

(4) website links for information and registration for party conventions.

No equivalent provision.

(c) The state chair of a political party shall prescribe a form for a notice that may be used in any county. A county chair of a political party may prescribe a specific notice for the county chair's county. The same notice must be used in all precincts within a county.

No equivalent provision.

(d) A notice must be approved by the secretary of state. If a county chair of a political party uses the form of notice prescribed by the state chair, only the convention location and time may be added without the secretary of state's approval.

No equivalent provision.

(e) A county chair of a political party shall supply a notice prepared according to this section to the authority conducting the election not later than the 30th day before

the date early voting by personal appearance begins.

No equivalent provision.

(f) The secretary of state shall prescribe procedures and adopt rules as necessary to implement this section.

SECTION 3. 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.

SECTION 3. Same as introduced version.