

BILL ANALYSIS

S.B. 806
By: Johnson
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law requires interpreters assisting an individual cast a ballot to be registered to vote in the same county in which they are providing help. The 5th Circuit Court of Appeals found that the provision violated the federal Voting Rights Act.

S.B. 806 seeks to codify the 5th Circuit Court of Appeals decision by amending current law relating to the eligibility to serve as an interpreter in an election.

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

SB 806 amends the Election Code by authorizing the voter, if an election officer who attempts to communicate with a voter does not understand the language used by the voter, to communicate through an interpreter selected by the voter, or, if the voter has not selected an interpreter, any interpreter an election officer may appoint. It provides that, to be eligible to serve as an interpreter, a person: (1) if selected by the voter, may be any person other than the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs; or (2) if appointed to serve as an interpreter by an election officer, must be a registered voter of the county in which the voter needing the interpreter resides or a registered voter of an adjacent county. It authorizes a voter, if the voter cannot comprehend the language in which the ballot is printed, to receive assistance in accordance with Subchapter B (Assisting Voter), Chapter 64. Deletes existing text authorizing an interpreter, if a voter cannot comprehend the language in which the ballot is printed, to accompany the voter to the voting station for the purpose of translating the ballot to the voter. It requires a person who will be providing ballot assistance to also take the oath required by Subchapter B, Chapter 64, and meet all other requirements of that subchapter.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2019.