

BILL ANALYSIS

C.S.H.B. 1622
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Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Many early voting clerks fail to post early voting turnouts on time despite the requirement to do so in a timely manner, which significantly inhibits the ability to track accurate votes and see where problems may arise. These failures, even though they are often not significant enough to result in criminal charges, still undermine the integrity of elections because there are no existing ramifications for a failure to comply with the requirements. C.S.H.B. 1622 seeks to ensure early voting clerks are compliant with requirements regarding the maintenance and availability of early voting rosters by creating a formal complaint process for early voting clerks who fail to adhere to those requirements.

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 1 of this bill.

ANALYSIS

C.S.H.B. 1622 amends the Election Code to authorize a person registered to vote in a county where the early voting clerk is conducting early voting to submit a complaint to the secretary of state stating that the clerk has not complied with requirements regarding the maintenance and availability of early voting rosters. The bill requires the secretary of state to create and maintain by rule a system for receiving and recording the complaints and to maintain a record indicating early voting clerks who have failed to comply with those requirements.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1622 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes provisions with respect to complaints regarding compliance with the early voting roster requirements but does not include any provisions with respect to complaints regarding compliance with requirements for the reporting of early voting votes by precinct.