

SUBJECT: Requiring certain parameters for movable polling place location and time

COMMITTEE: Elections — favorable, without amendment

VOTE: 4 ayes — Laubenberg, R. Anderson, Fallon, Swanson

2 nays — Israel, Reynolds

1 absent — Larson

WITNESSES: For — Bryan Mathew, Texas Public Policy Foundation; Bill Fairbrother, Texas Republican County Chairmen's Association; (*Registered, but did not testify*: Ed Johnson, Harris County Clerk's Office)

Against — (*Registered, but did not testify*: Alan Vera, Harris County Republican Party Ballot Security Committee; Joseph Green, Travis County Commissioners Court; Brad Parsons)

On — Angela Colmanero, Office of the Attorney General; Bill Longley, Texas Municipal League; (*Registered, but did not testify*: Ashley Fischer, Secretary of State)

BACKGROUND: Election Code, sec. 85.062 allows the establishment of temporary branch polling places for early voting. The location of these polling places must be fixed at one place for the duration of the period that voting is required to be conducted at the polling place, unless the county clerk approves the establishment of a movable temporary branch polling place.

Secs. 85.064 and 85.065 require the authority establishing the temporary branch polling place to determine the hours during which voting will be conducted. Generally, voting at these polling places may be conducted on any one or more days and during any hours of the period for early voting. In counties with a population of 100,000 or more, voting must be conducted for the same number of hours that voting is required to be conducted on those days at the main early voting polling place if

requested in writing by at least 15 registered voters of the county.

Election Code, sec. 42.002(c) establishes that county election precincts do not have to be used for elections held on the May uniform election date by political subdivisions under certain circumstances. These include if the political subdivision conducts in-person early voting at 75 percent or more of its permanent or temporary polling places on the same days and during the same hours as voting was conducted at the main early voting polling places and at each remaining polling place for at least two consecutive days of voting for at least eight hours on each of those days.

DIGEST: HB 1825 would require movable polling places to be open at least eight hours each day that voting is conducted and remain in one location for at least two days.

The bill would repeal Election Code, sec. 42.002(c), which currently provides an exception to the use of county election precincts on the May uniform election day.

The bill would take effect September, 1, 2017.

SUPPORTERS SAY: HB 1825 would address movable polling places that are being used to target specific locations and voters who may support a particular ballot initiative. Setting requirements for the days and hours of operation would allow voters to locate a polling place easily and know when they could vote, instead of voters trying to locate a movable polling place and vote during a short window of time.

OPPONENTS SAY: HB 1825 would reduce the number of movable polling place locations by requiring each to be stationary for two full days, which could reduce the number of voters able to vote. The bill would repeal a provision that established flexibility for voters to vote in the cities in which they live for May elections, instead of having to drive to the county polling locations to vote, which further could depress voter participation.