

SUBJECT: Requiring SOS to post election, candidate, and officeholder databases

COMMITTEE: Elections — committee substitute recommended

VOTE: 6 ayes — Cain, Bucy, Clardy, Jetton, Schofield, Swanson

0 nays

3 absent — J. González, Beckley, Fierro

WITNESSES: For — Cinde Weatherby, League of Women Voters of Texas; Susana Carranza; (*Registered, but did not testify*: Matt Simpson, ACLU of Texas; Chase Bearden, Coalition of Texans with Disabilities; Anthony Gutierrez, Common Cause Texas; Joanne Richards, Common Ground for Texans; Cyrus Reed, Lone Star Chapter Sierra Club; Anne Mazuca, Secure Democracy; and 14 individuals)

Against — Gerald Welty, Convention of States; Laura Pressley, True Texas Elections LLC; Andrew Eller; Bill Sargent; (*Registered, but did not testify*: Guadalupe Cuellar, City of El Paso; Angela Smith, Fredericksburg Tea Party; Marcia Strickler, Wilco We Thee People; and seven individuals)

On — Alan Vera, Harris County Republican Party Ballot Security Committee; Keith Ingram, Texas Secretary of State; (*Registered, but did not testify*: Christina Adkins, Texas Secretary of State)

BACKGROUND: Some have called for information pertaining to elections, candidates, and officeholders to be centralized on the secretary of state's website.

DIGEST: CSHB 2859 would require the secretary of state to post on the secretary's public website a database containing information provided by each authority responsible for giving notice of an election in Texas. The database would have to include the name of the authority, each office to be filled at the election, whether the office was elected at large or by district, and the dates of the preceding and next election for the office.

The authority responsible for giving notice of an election would have to deliver the required information in an electronic format required by the secretary of state.

The secretary of state also would have to post on the secretary's website a database containing information about each holder of and candidate for an elected office in Texas. The database would have to contain certain information, including:

- the name of the candidate or officeholder;
- the office title or office sought, as applicable, including any district, place or position;
- if the office was elected at large or by district;
- the date of the election, for candidates, or date of the previous and next election for the office, for current officeholders;
- the candidate's or officeholder's public mailing address, public telephone number, and public email address, if available; and
- if the candidate had filed as a write-in candidate, for candidates who were not current officeholders.

The authority with whom an application or declaration of candidacy was filed, a state chair of a political party, or the presiding officer of a political party's convention would have to provide information about a candidate or officeholder to the secretary of state.

The secretary of state would have to adopt rules as necessary to implement provisions relating to the election information database and candidate and officeholder database.

The bill would take effect September 1, 2021.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of about \$1.2 million to general revenue related funds through fiscal 2023.