

BILL ANALYSIS

Senate Research Center
76R3007 DRH-D

S.B. 438
By: Madla
State Affairs
2/22/1999
As Filed

DIGEST

Currently, Texas law does not permit a request for a recount of irregularly marked ballots which were not counted by the automatic tabulating machine. A person must petition for a recount of all ballots cast. S.B. 438 would allow an individual requesting a recount to include only those ballots that were irregularly marked, therefore, reducing time and cost.

PURPOSE

As proposed, S.B. 438 regulates certain election recounts.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 212.001, Election Code, to provide that in an election for which an electronic voting system is used, the recount request involves only those ballots that were counted manually. Makes a conforming change.

SECTION 2. Amends Section 212.131(a), Election Code, to require an initial recount in an election for which there is no canvass at the state level to include each election precinct in the election unless the recount petition requests that the recount be limited to ballots counted manually as provided by Section 212.001(5)(B).

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.