

BILL ANALYSIS

Senate Research Center
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H.B. 2923
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State Affairs
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Engrossed

DIGEST AND PURPOSE

Recent elections have prompted concerns about how various balloting methods and voting equipment is currently distributed and utilized throughout the state. H.B. 2923 requires any new voting technology that is introduced for a primary election, an election ordered by the governor, or an election ordered by a county authority to be distributed and used proportionately and equitably among the election precincts in which it is used.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the secretary of state in SECTION 3 (Section 123.009, Election Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 123.004, Election Code, to authorize the authority adopting a voting system to restrict its use to one or more polling places, subject to Section 123.009.

SECTION 2. Amends Section 123.007, Election Code, to make a conforming change.

SECTION 3. Amends Chapter 123A, Election Code, by adding Section 123.009, as follows:

Sec. 123.009. IMPLEMENTATION OF NEW TECHNOLOGY IN CERTAIN ELECTIONS. (a) Provides that this section applies to a voting system adopted for use in an election ordered by the governor or a county authority or in a primary election.

(b) Requires the voting system equipment implementing the new technology, if the design of the voting system or voting system equipment is modified, upgraded, or otherwise enhanced by the incorporation of a new technology, to be distributed and used proportionately and equitably among the election precincts in which the particular voting system is used.

(c) Requires the secretary of state by rule to prescribe any procedures necessary for the implementation of this section in a manner that protects the voting rights of the affected voters.

SECTION 4. Effective date: September 1, 2001.