

BILL ANALYSIS

Senate Research Center
77R366 PAM-D

H.B. 59
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Jurisprudence
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Engrossed

DIGEST AND PURPOSE

Currently, some voters may experience difficulty finding thorough non-partisan information on candidates running for judicial offices. H.B. 59 authorizes the secretary of state to implement a voter information service program to compile information on candidates in judicial elections in the form of a voter information guide and to make the guide available on the Internet.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 16, Election Code, by adding Chapter 278, as follows:

CHAPTER 278. VOTER INFORMATION GUIDE FOR JUDICIAL ELECTIONS

Sec. 278.001. **APPLICABILITY OF CHAPTER.** Provides that this chapter applies to each candidate whose name is to appear on the ballot or a list of declared write-in candidates in a judicial election.

Sec. 278.002. **INTERNET VOTER INFORMATION GUIDE.** Authorizes the secretary of state to implement a voter information service program to compile information on candidates for election in the form of a voter information guide and make the guide available to the public on the Internet.

Sec. 278.003. **STATEMENT FILED BY CANDIDATE.** Authorizes a candidate, if the secretary of state implements a voter information service program, to file with the secretary not later than the 70th day before the date of the judicial election an informational statement, on a form prescribed by the secretary, to be included in the voter information guide for that election.

Sec. 278.004. **STATEMENT REQUIREMENTS.** Requires a candidate's statement to include a summary of certain information. Authorizes the secretary of state to prescribe the format and length of the candidate's statement.

Sec. 278.005. **REVIEW BY SECRETARY OF STATE.** Authorizes the secretary of state, not later than the fifth day after the date the candidate's statement is received, to review the statement to determine whether it complies with this chapter. Authorizes the secretary of state, if the secretary of state determines that the statement does not comply with the applicable requirements, to reject the statement and deliver written notice of the reason for the rejection to the candidate not later than the second day after the date of rejection. Authorizes a candidate whose statement is rejected to resubmit the statement subject to the prescribed deadline.

Sec. 278.006. **PREPARATION OF GUIDE.** Authorizes the secretary of state to contract for

the preparation of the voter information guide after soliciting bids for that work. Authorizes the secretary of state to prepare the guide if the secretary determines that the costs of that preparation are less than or equal to the most reasonable bid submitted. Requires the voter information guide to include the candidates' statements that comply with this chapter, with candidates for election and write-in candidates for election as separate groups. Provides that the order of the candidates' names within the groups is determined by a drawing conducted by the secretary of state. Authorizes the secretary of state to prescribe appropriate explanatory material to be included in the voter information guide to assist the voters, including a statement that the guide may be used at the polls to assist the voters in marking their ballots.

Sec. 278.007. AVAILABILITY OF GUIDE. Authorizes the secretary of state, if the secretary of state implements a voter information service program, to make the voter information guide available to the public on the Internet not later than the 45th day before the date of each judicial election.

Sec. 278.008. ADDITIONAL PROCEDURES. Authorizes the secretary of state to prescribe any additional procedures necessary to implement this chapter.

SECTION 2. Effective date: September 1, 2001.