

BILL ANALYSIS

Senate Research Center
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S.B. 719
By: West
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DIGEST AND PURPOSE

Currently, some voters may experience some difficulty finding thorough, non-partisan information on candidates running for judicial offices. As proposed, S.B. 719 allows 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 to the public through various mediums.

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. VOTER INFORMATION GUIDE. Authorizes the secretary of state to implement a voter information service program for certain purposes.

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. (a) Requires a candidate's statement to include a summary of certain specific information.

(b) Authorizes the secretary of state to prescribe the format and length of the candidate's statement.

Sec. 278.005. REVIEW BY SECRETARY OF STATE. (a) 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.

(b) Authorizes the secretary of state, if the secretary 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.

(c) Authorizes a candidate whose statement is rejected to resubmit the statement subject to the prescribed deadline.

Sec. 278.006. PREPARATION OF GUIDE. (a) Authorizes the secretary of state to contract for the preparation of the voter information guide after soliciting bids for that work. Authorizes the secretary 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.

(b) Requires the voter information guide to include the candidate's 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.

(c) 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. (a) Authorizes the secretary of state, if the secretary implements a voter information service program, to make the voter information guide available to the public through certain specific mediums.

(b) Requires the secretary of state, if the secretary makes the voter information guide available as provided by Subsection (a), to make the voter information guide available not later than the 45th day before the date of each judicial election.

Sec. 278.008. RATES FOR NEWSPAPER PUBLICATION OR DISTRIBUTION. (a) Prohibits the rate a newspaper may charge for publishing or distributing the voter information guide as an insert in its daily newspaper from exceeding the lowest charge made for publishing or distributing comparable inserted material included in the newspaper for any other purposes.

(b) Requires certain specific, relevant factors to be considered in determining amounts charged under Subsection (a).

(c) Requires publications and distribution discounts offered by a newspaper to its commercial advertisers to be offered on equal terms to the secretary of state.

Sec. 278.009. ADDITIONAL PROCEDURES. Authorizes the secretary of state to prescribe any additional procedures necessary to implement this chapter.

SECTION 2. Effective date: September 1, 2001.