

## **BILL ANALYSIS**

Senate Research Center  
2001S0441/1

C.S.S.B. 79  
By: Shapiro  
State Affairs  
2/13/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, Texas law provides four uniform election dates, but allows 10 exceptions permitting political subdivisions to hold elections on other days. These exceptions result in multiple elections for various local, state, and federal affairs, prompting voter apathy and confusion. As proposed, C.S.S.B. 79 eliminates several exceptions from the uniform election dates.

### **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 Section 41.001, Election Code, by amending Subsections (a), (b), and (d) and adding Subsection (e), as follows:

- (a) Requires each general or special election to be held on the first Saturday in February rather than the third Saturday in January, and the second Saturday in September rather than the second Saturday in August, except as otherwise specified by this subchapter.
- (b) Deletes wording relating to elections that are not subject to this section.
- (d) Makes conforming changes.
- (e) Prohibits an election for an office where a majority vote is required from being held on the September or February uniform election dates.

SECTION 2. Amends Section 41.253(b), Education Code, to make a conforming change.

SECTION 3. Amends Section 363.057, Local Government Code, to require the election to be held on the first uniform election date that occurs after the 34th day after the date on which the election is ordered. Deletes wording relating to the time-line that an election must be held within and to the requirement that a certain election be held on a uniform election date.

SECTION 4. Amends Section 49.103(b), Water Code, to make a conforming change.

SECTION 5. Amends Section 56.804(a), Water Code, to make a conforming change.

SECTION 6. (a) Makes application of this Act prospective for an election held on the August uniform election date in 2001.

(b) Provides that Section 41.006 (Adjusting Election Schedule), Election Code, applies to a change in election dates made in accordance with this Act.

(c) Makes application of this Act prospective for an election ordered before the effective date and described by Subdivisions (2), (3), (8), or (10), Section 41.001(b) (Uniform Election Dates),

Election Code.

SECTION 7. Effective date: September 1, 2001.

**SUMMARY OF COMMITTEE CHANGES**

SECTION 1. Amends As Filed S.B. 79, Section 41.001, Election Code, to require each general or special election to be held on certain dates, including the second Saturday in September, rather than the first Saturday in September. Makes conforming changes.

SECTION 2. No change.

SECTION 3. Amends As Filed S.B. 79, Section 363.057, Local Government Code, to require the election to be held on the first uniform election date that occurs after the 34th day after the date on which the election is ordered. Deletes wording relating to the time-line that an election must be held within and to the requirement that a certain election be held on a uniform election date.

SECTION 4. Redesignates As Filed S.B. 79, SECTION 3 as SECTION 4.

SECTION 5. Redesignates As Filed S.B. 79, SECTION 4 as SECTION 5.

SECTION 6. Redesignates As Filed S.B. 79, SECTION 5 as SECTION 6.

SECTION 7. Redesignates As Filed S.B. 79, SECTION 6 as SECTION 7.