

BILL ANALYSIS

Senate Research Center

C.S.H.B. 2153
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State Affairs
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Committee Report (Substituted)

DIGEST AND PURPOSE

Current law requires a political subdivision that is acquiring a voting system to obtain and attach to the contract a letter from the secretary of state's office certifying the system and equipment. C.S.H.B. 2153 requires that a contract for acquisition of a voting system be approved by the secretary of state as to compliance of the voting system and voting system equipment with the applicable requirements.

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 123.035, Election Code, as follows:

- (a) Requires a contract for the acquisition of voting system equipment under this subchapter to be approved by the secretary of state as to compliance of the voting system and voting system equipment with the applicable requirements. Requires the authority acquiring the equipment to submit to the secretary of state a request for the letter and order described by this subsection accompanied by a copy of the relevant portions of the contract containing only the identifying information that the secretary needs to determine whether the version of the system and equipment being acquired under the contract complies with the applicable requirements. Requires the secretary of state, if the contract is approved, to provide to the parties to the contract certain information.
- (b) Provides that a contract for the acquisition of voting system equipment under this subchapter that is not approved by the secretary of state in accordance with Subsection (a) is void.
- (c) Makes conforming changes.
- (d) Requires the secretary of state, if the secretary does not approve a contract under this section, to provide notice to the parties to the contract that states the reasons the contract was not approved.

SECTION 2. (a) Effective date: September 1, 2003.

- (b) and (c) Make application of this Act prospective.