

BILL ANALYSIS

Senate Research Center
78R6829 DRH-D

H.B. 2154
By: Denny (Staples)
State Affairs
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Engrossed

DIGEST AND PURPOSE

Under current law, presiding judges of polling places and election precincts, in performing their election-related duties, have powers equivalent to those of a district judge, and a suit against an election judge would correctly be filed in the court of appeals. However, in filing civil actions against election judges, many plaintiffs erroneously file the action in a district court, causing delays and confusion. H.B. 2154 amends the law to require a suit against an election judge to be filed under the original jurisdiction of the court of appeals.

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 32.075(c), Election Code, to provide that an appeal of an order or other action of the presiding judge under this section is made in the same manner as the appeal of an order or other action of a district court in the county in which the polling place is located.

SECTION 2. Effective date: upon passage or September 1, 2003.