

BILL ANALYSIS

Senate Research Center

H.B. 872
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State Affairs
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Engrossed

DIGEST AND PURPOSE

Under current law, Texas provides four uniform election dates, but allows seven exceptions permitting political subdivisions to hold elections on other days. The multitude of election dates that result from this situation can cause confusion, frustration, and fatigue among voters, election officials, and volunteers, which may contribute to low voter turnout. Moreover, the large number of election dates is costly to local taxpayers. H.B. 872 reduces the number of uniform election dates and eliminates certain exceptions to the uniform election date provisions.

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 Sections 41.001(a) and (b), Election Code, as follows:

- (a) Removes the option for a general or special election in this state to be held on the first Saturday in February or the second Saturday in September. Authorizes an election to be held on the third, rather than first, Saturday in May, in addition to the first Tuesday after the first Monday in November.
- (b) Removes a provision that Subsection (a) does not apply to an election for the issuance or assumption of bonds in certain circumstances.

SECTION 2. Amends Section 41.001(e), Election Code, to provide that in addition to a date prescribed by Subsection (a), an election for an office in which a majority vote is required and that is conducted under Section 26.045 (Filling Vacancy on Governing Body of Municipality With Population of 1.5 Million or More), Local Government Code, may be held on the first Saturday in February or the second Saturday in September, which are considered to be dates that comply with Subsection (a) and Section 26.045, Local Government Code. Deletes a provision prohibiting such an election from being held on the September or February uniform election date.

SECTION 3. Amends Section 41.0052(a), Election Code, to authorize the governing body of a political subdivision other than a county, not later than December 31, 2003, rather than 1999, to change the date on which it holds its general election for officers to another authorized uniform election date. Prohibits an election on the new date from being held before 2004, rather than 2000.

SECTION 4. Amends Section 41.253(b), Education Code, to require a transitional board of trustees to order an election for the initial board of trustees to be held on the first May, rather than February, uniform election date after the effective date of a consolidation order.

SECTION 5. Amends Section 49.103(b), Water Code, to remove a February election option.

SECTION 6. Amends Section 56.804(a), Water Code, to make a conforming change.

SECTION 7. Repealer: Section 41.001(d) (prohibiting a general election of officers of a city, school district, junior college district, or hospital district from being held on the February or September uniform election date), Election Code.

SECTION 8. Requires a political subdivision that before October 1, 2003, held its general election for officers on the February or September uniform election date or on the first Saturday in May, not later than December 31, 2003, to change the election date as permitted by Section 41.0052, Election Code, as amended by SECTION 3 of this Act, to a date authorized by Section 41.001, Election Code, as amended by SECTION 1 of this Act.

SECTION 9. Effective date: October 1, 2003.
Makes application of this Act prospective.