

BILL ANALYSIS

Senate Research Center
78S30007 DRH-D

S.B. 9
By: Nelson
Jurisprudence
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As Filed

DIGEST AND PURPOSE

As proposed, S.B. 9 seeks to correct conflicting provisions relating to election dates. The bill provides that the runoff primary election date remains on the second Tuesday in April following the general primary election; retains the first Saturday in May as the May uniform election date; clarifies the date on which the local canvassing authority may convene to conduct a local canvass; and modifies the deadline for the arrival of a late overseas ballot voted by mail by requiring the ballot to arrive at the address on the carrier envelope not later than the fifth day after the date of the election.

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 41.007(b), Election Code, as amended by Section 1, H.B. No. 2496, Acts of the 78th Legislature, Regular Session, 2003, to provide that the runoff primary election date is the second, rather than first, Tuesday in April following the general primary election.

SECTION 2. Amends Section 67.003, Election Code, as amended by Section 17, H.B. No. 1695, Acts of the 78th Legislature, Regular Session, 2003, as follows:

Sec. 67.003. TIME FOR LOCAL CANVASS. Requires each local canvassing authority to convene to conduct the local canvass at the time set by the canvassing authority's presiding officer on the 11th day after election day. Deletes existing text relating to the times for local canvass under certain circumstances.

SECTION 3. Amends Section 86.007(d), Election Code, as amended by Section 24, H.B. No. 1695, Acts of the 78th Legislature, Regular Session, 2003, to require a marked ballot voted by mail that arrives after the time prescribed by Subsection (a) to be counted if, among other conditions, the ballot arrives at the address on the carrier envelope not later than the fifth day after the date of the election. Deletes existing text relating to conditions pertaining to certain elections.

SECTION 4. Amends Section 87.125(a), Election Code, as amended by Section 30, H.B. No. 1695, Acts of the 78th Legislature, Regular Session, 2003, to require the early voting ballot board to convene to count ballots voted by mail described by Section 86.007(d) (Deadline for Returning Marked Ballot) at the time set by the presiding judge of the board on the sixth day after the date of an election or on an earlier day if the early voting clerk certifies that all ballots mailed from outside the United States have been received. Deletes existing text relating to conditions pertaining to certain elections.

SECTION 5. Repealer: Sections 14, 16, and 42, H.B. No. 1549, Acts of the 78th Legislature, Regular Session, 2003.

SECTION 6. Effective Date: September 1, 2003, or upon passage, or 91 days after adjournment.