

BILL ANALYSIS

Senate Research Center
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S.B. 836
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State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 758, 79th Legislature, Regular Session, 2005, established the superprecinct pilot project. Counties participating in the pilot project created countywide polling places to replace current polling places, thereby allowing voters to vote at any polling place in the county. However, the statute authorizing the program expired on January 2, 2007.

As proposed, S.B. 836 requires the secretary of state to implement a new countywide polling places program as a pilot project until January 1, 2009, and authorizes the secretary of state to continue the project as a program after that date if the program has been found to be successful. The bill also sets forth the methods and criteria by which a county may participate in the program.

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 Subchapter A, Chapter 43, Election Code, by adding Section 43.007, as follows:

Sec. 43.007. COUNTYWIDE POLLING PLACE PROGRAM. (a) Requires the secretary of state to implement a program to allow each participating commissioners court to eliminate county election precincts (precincts) and establish countywide polling places for elections set forth in this subsection.

(b) Requires the commissioners court in a county that desires to participate in this program to hold a public hearing on the county's participation in the program. Requires the court to submit a transcript or electronic recording of the public comments made at the hearing to the secretary of state. Provides that a county that has previously held a public hearing on participation in a similar program is not required to hold a hearing under this subsection.

(c) Requires the secretary of state, in conducting the program, to provide for an audit of the direct recording electronic voting units before and after the election, and during the election to the extent it is practicable.

(d) Requires the secretary of state to select certain counties specified in this subsection for participation in the program.

(e) Requires each countywide polling place to allow a voter to vote in the same elections in which the voter was entitled to vote in the precinct in which the voter resides.

(f) Authorizes the secretary of state to select a county to participate in the program that has previously participated in a similar program.

(g) Requires the secretary of state to operate the program established under Subsection (a) as a pilot program until January 1, 2009. Authorizes the secretary

of state to continue the program after that date as an ongoing program in which a county may begin or continue to participate in if the secretary of state finds the pilot program to be successful.

SECTION 2. Effective date: upon passage or September 1, 2007.