

BILL ANALYSIS

Senate Research Center

C.S.H.B. 719
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State Affairs
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Many polling locations in Texas hold joint primary elections, allowing voters registered with either political party to vote at the same polling place. This procedure saves time and money for both the voters and the employees who run the elections; however, the signs that assist in guiding voters to the polling place often are decorated with only one political party's name or symbol. This can confuse voters arriving to vote in the primary of their party choice but who see only the other party's name or symbol on the posted signs. Parity is necessary in advertising the location of a polling place.

C.S.H.B. 719 relates to polling places for certain elections.

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 (SOS) to implement a program to allow each commissioners court participating in the program to eliminate county election precinct polling places and establish countywide polling places for:

- (1) each general election for state and county officers,
- (2) each countywide election held on the uniform election date in May;
- (3) each election on a proposed constitutional amendment; and
- (4) each election of a political subdivision located in the county that is held jointly with an election described by Subdivision (1), (2), or (3).

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

(c) Requires SOS, 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 such an audit is practicable.

(d) Requires SOS to select to participate in the program each county that meets certain criteria.

(e) Requires that each countywide polling place allow a voter to vote in the same elections in which the voter would be entitled to vote in the county election precinct in which the voter resides.

(f) Requires a county, in selecting countywide polling places, to adopt a methodology for determining where each polling place will be located. Prohibits the total number of countywide polling places from being less than:

(1) except as provided by Subdivision (2), 50 percent of the number of precinct polling places that would otherwise be located in the county for that election; or

(2) for an election held in the first year in which the county participates in the program, 65 percent of the number of precinct polling places that would otherwise be located in the county for that election.

(g) Requires that a county participating in the program establish a plan to provide notice informing voters of the changes made to the locations of polling places under the program. Requires that the plan require that notice of the location of the nearest countywide polling place be posted on election day at each polling place used in the previous general election for state and county officers that is not used as a countywide polling place.

(h) Requires the county, in adopting a methodology under Subsection (f) or creating the plan under Subsection (g), to solicit input from organizations or persons located within the county who represent minority voters.

(i) Authorizes SOS to only select to participate in the program three counties with a population of 100,000 or more and two counties with a population of less than 100,000.

(j) Requires SOS, not later than January 1 of each odd-numbered year, to file a report with the legislature. Requires that the report include any complaints or concerns regarding a specific election that have been filed with the office of SOS before the preparation of the report and any available information about voter turnout and waiting times at the polling places. Authorizes the report to include SOS's recommendations on the future use of countywide polling places and suggestions for statutory amendment regarding the use of countywide polling places.

SECTION 2. Amends Subchapter E, Chapter 172, Election Code, by adding Section 172.127, as follows:

Sec. 172.127. CONTENT OF SIGN USED TO IDENTIFY POLLING PLACE LOCATION. (a) Provides that this section applies only to a polling place used to hold an election for more than one political party.

(b) Requires that a sign used to indicate the location of a polling place for a primary election or a primary runoff election either not contain the name of, or symbol representing, any political party that is holding an election at the polling place or contain each name of, or each symbol representing, a political party that is holding an election at the polling place.

SECTION 3. Effective date: September 1, 2009.