

BILL ANALYSIS

Senate Research Center
81R5590 ATP-D

S.B. 1134
By: Duncan
State Affairs
3/16/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Election workers play a pivotal role in the electoral process throughout the State of Texas and the United States. These election workers are becoming increasingly harder to recruit and the average age of election workers is increasing. According to the United States Election Assistance Commission, the average age of an election worker is 72 years of age. Unfortunately, a younger generation of election workers is not available to replace these older workers. Thirty-nine states and the District of Columbia have looked to their high schools as an alternative source of election clerks.

There are many advantages to using high school students as election workers. Students are introduced to the electoral process which inspires an interest in their government; younger more able-bodied workers can handle the long hours and heavy lifting required by election workers; and many high school students are bilingual and can be utilized as translators for non-English speaking voters. Additionally, high school students are more familiar with technology, thus are able to work comfortably with the increasing amount of technology employed in the electoral process. Currently, the State of Texas does not allow high school students to participate as election workers.

As proposed, S.B. 1134 authorizes certain high school students to work as election clerks and requires a school district to excuse a student from attending school for that purpose.

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 25.087(b), Education Code, to require that a school district excuse a student from attending school for the purpose of serving as an election clerk under Chapter 32 (Election Judges and Clerks), Election Code. Makes nonsubstantive changes.

SECTION 2. Amends Section 32.051, Election Code, by amending Subsection (c) and adding Subsection (f), as follows:

(c) Creates an exception as provided under Subsection (f).

(f) Authorizes a person who is 16 years of age or older, a United States citizen, and a student of good standing at a public or private secondary school to be an election clerk. Requires the county clerk or elections administrator of a county in which a student will serve as an election clerk as provided by this section to work with the county's secondary schools to identify students eligible to serve as clerks under this section. Authorizes not more than two clerks eligible under this section to serve at a polling place, except that not more than four clerks eligible under this section are authorized to serve at any countywide polling place.

SECTION 3. Effective date: September 1, 2009.