

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1134
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State Affairs
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Committee Report (Substituted)

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, and 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.

C.S.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 32.051(c), Election Code, to create an exception as provided by Section 32.0511.

SECTION 2. Amends Subchapter C, Chapter 32, Election Code, by adding Section 32.0511, as follows:

Sec. 32.0511. SPECIAL ELIGIBILITY REQUIREMENTS: STUDENT ELECTION CLERKS. (a) Defines "educational institution" and "student."

(b) Provides that a student who is ineligible to serve as a clerk of an election precinct under Section 32.051(c) (relating to requirements to be eligible to serve as a clerk of an election precinct) is eligible to serve as a clerk of an election precinct under this section if the student meets certain criteria.

(c) Provides that a student election clerk serving under this section is entitled to compensation under Section 32.091 (Compensation for Services at Polling Place) in the same manner as other election clerks; and when communicating with a voter who cannot communicate in English, is authorized to communicate with the voter in a language the voter and the clerk understand as authorized by Subchapter B (Interpreter), Chapter 61 (Conduct of Voting Generally).

(d) Provides that not more than two student election clerks may serve at a polling place, except that not more than four student election clerks are authorized to serve at any countywide polling place.

(e) Authorizes the secretary of state to initiate or assist in the development of a statewide program promoting the use of student election clerks appointed under this section.

SECTION 3. 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. Makes a nonsubstantive change.

SECTION 4. Amends Subchapter D, Chapter 33, Education Code, by adding Section 33.092, as follows:

Sec. 33.092. STUDENT ELECTION CLERKS. Authorizes a student who is appointed as a student election clerk under Section 32.0511, Election Code, to apply the time served as a student election clerk toward certain academic requirements or school-sponsored extracurricular activity.

SECTION 5. Effective date: September 1, 2009.