

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 1136
By: Aycock (Fraser)
State Affairs
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Concerned parties report that an election authority may sometimes fail to notify the county chair of each political party about meetings called by the election authority to discuss business relating to an upcoming election.

C.S.H.B. 1136 amends the Election Code to require each election authority to deliver written notice of the time and place of any meeting called by the election authority for the purpose of discussing business related to an upcoming primary, runoff, or general election not later than 72 hours before the meeting date to the county chair of each political party that made nominations by primary election for the general election for state and county officers preceding the date of the meeting. The bill authorizes the required notice to be delivered by United States mail, electronic mail, or other method of written communication, as determined by the election authority. The bill defines "election authority" to mean the county clerk or secretary of the governing body of a political subdivision other than a county or city of the authority performing the duties of a secretary under the Election Code and specifies that the term does not include a city secretary.

C.S.H.B. 1136 amends current law relating to requiring an election authority to provide notice to certain county chairs regarding certain election activities.

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 E, Chapter 31, Election Code, by adding Section 31.124, as follows:

Sec. 31.124. PROVISION OF NOTICE TO COUNTY CHAIRS BY ELECTION AUTHORITY. (a) Requires a county election officer of each county to hold a meeting with the county chair of each political party to discuss, as appropriate, the following for each primary election or general election for state and county officers:

- (1) the lists provided by each political party under Section 85.009 (Election Officers for General Election for State and County Officers);
- (2) the lists provided by each political party under Section 87.002(c) (requiring each county chair of a political party with nominees on the general election ballot, in the general election for state and county officers, to submit to the county election board a list of names of persons eligible to serve on the early voting ballot board); and
- (3) the implementation of Subchapters A (Early Voting Ballot Board), B (Delivering Materials to Board), C (Accepting Early Voting Ballot Voted by Mail), and D (Processing Manually Counted Ballots), Chapter 87.

(b) Requires a county election officer of each county to deliver written notice of the time and place of the meeting required by Subsection (a) not later than 72 hours before the meeting date to the county chair of each political party that made nominations by primary election for the general election for state and county officers preceding the date of the meeting.

(c) Authorizes the notice required by Subsection (b) to be delivered by United States mail, electronic mail, or other method of written communication, as determined by the county election officer.

SECTION 2. Effective date: upon passage or September 1, 2011.