

BILL ANALYSIS

Senate Research Center
83R15942 ADM-D

C.S.S.B. 553
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State Affairs
3/19/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Students who get involved in the voting process at a young age are more likely to continue to vote throughout their life.

S.B. 1134, 81st Legislature, Regular Session, 2009, permitted high school students to participate in voting clerkships. S.B. 1134 created an opportunity for students to learn about the democratic process in a hands-on manner. These students must get permission from their schools to participate in the clerkships. Unfortunately, many students were unable to participate because they could not do so on the election date.

C.S.S.B. 553 allows students to participate as early voting clerks, thereby expanding the opportunity to participate in the election process. C.S.S.B. 553 allows each polling location to have four students serve as clerks.

C.S.S.B. 553 amends current law relating to certain high school students serving as early voting clerks in an election.

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, Education Code, by adding Subsection (b-1) and (e) and amending Subsection (d), as follows:

(b-1) Authorizes a school district to adopt a policy excusing a student from attending school for service as a student early voting clerk in an election.

(d) Prohibits a student whose absence is excused under Subsection (b-1), in addition to certain other subsections, from being penalized for that absence and requires that the student be counted as if the student attended school for purposes of calculating the average daily attendance of students in the school district. Requires a student whose absence is excused under Subsection (b-1), in addition to certain other subsections, to be allowed reasonable time to make up school missed on those days.

(e) Authorizes a school district to excuse a student for the purposes provided by Subsections (b)(1)(E) (relating to a student's absence from school to serve as an election clerk being excused) and (b-1) for a maximum of two days in a school year.

SECTION 2. Amends Section 33.092, Education Code, as follows:

Sec. 33.092. New heading: STUDENT ELECTION CLERKS AND EARLY VOTING CLERKS. Authorizes a student who is appointed as a student election clerk under Section 32.0511 (Special Eligibility Requirements: Student Election Clerks), Election Code, or as a student early voting clerk under Section 83.012, Election Code, to apply the time served

as a student election clerk or student early voting clerk toward certain school projects or advanced academic course program service requirements.

SECTION 3. Amends Subchapter A, Chapter 83, Election Code, by adding Section 83.012, as follows:

Sec. 83.012. STUDENT EARLY VOTING CLERKS. (a) Authorizes the early voting clerk to appoint student early voting clerks as necessary to assist the early voting clerk.

(b) Provides that a person is eligible to serve as a student early voting clerk under this section if the person is ineligible to serve as a clerk of an election precinct under Section 32.051(c) (relating to the eligibility requirements of election precinct clerks) but meets the eligibility requirements to be a student election clerk under Section 32.0511.

(c) Provides that a student early voting clerk serving under this section is entitled to compensation under Section 83.052 (Compensation of Other Clerks and Their Deputies) in the same manner as other early voting clerks; and when communicating with a voter who cannot communicate in English, may communicate with the voter in a language the voter and the clerk understand as authorized by Subchapter B (Interpreter), Chapter 61.

(d) Prohibits more than four student early voting clerks from serving at an early voting polling place.

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

SECTION 4. Effective date: upon passage or September 1, 2013.