

BILL ANALYSIS

Senate Research Center
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S.B. 251
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State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Section 61.033 of the Election Code says that to be eligible to serve as an interpreter, a person must be a registered voter of the county in which the voter needing the interpreter resides.

However, this provision is in direct conflict with Section 64.032(c) of the Election Code which says that on a voter's request, a voter may be assisted by any person selected by the voter other than the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs.

The Office of the Secretary of State office interprets Section 61.033(c) in the instance when a person, who is unable to speak English, is provided an interpreter by an election official. The provision does not apply to an instance in which a person brings someone with them to serve as the interpreter. In which case the person can bring anyone regardless of whether the interpreter is registered in that particular county or not.

S.B. 251 will codify the current practice of election officials and clarify that the only time an interpreter has to be a registered voter in the same county as the voter is when he or she is appointed by an election official.

S.B. 251 will also allow counties to expand the pool of people eligible to serve as interpreters by allowing a person registered to vote in the adjacent county to be eligible as well. This will benefit rural counties that have issues finding individuals qualified to serve as interpreters in their own county.

As proposed, S.B. 251 amends current law relating to eligibility to serve as an interpreter 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 61.032, Election Code, as follows:

Sec. 61.032. INTERPRETER PERMITTED. Authorizes the voter, if an election officer who attempts to communicate with a voter does not understand the language used by the voter, to communicate through an interpreter selected by the voter or by the authority ordering the election.

SECTION 2. Amends Section 61.033, Election Code, as follows:

Sec. 61.033. ELIGIBILITY TO SERVE AS INTERPRETER. Provides that to be eligible to serve as an interpreter, a person:

(1) if selected by the voter, may be any person other than the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs; or

(2) if appointed to serve as an interpreter by the authority ordering the election, must be a registered voter of the county in which the voter needing the interpreter resides or a registered voter of an adjacent county.

SECTION 3. Effective date: upon passage or September 1, 2015.