

BILL ANALYSIS

Senate Research Center
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H.B. 332
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

School buildings are a common choice for polling place locations because of their accessibility, but interested parties have expressed concern that schools might lack sufficient security measures on regular school days during an early voting period or on election day. H.B. 332 amends the Education Code to require a public school district to include in its Multihazard Emergency Operations Plan (MEOP) a policy for school district property selected for use as a polling place. H.B. 332 authorizes the board of trustees of the district, in developing the policy, to consult with the local law enforcement agency with jurisdiction over the school district property selected as a polling place regarding reasonable security accommodations that may be made to the property. H.B. 332 prohibits the interpretation of its provisions to require the board of trustees to obtain or contract for the presence of law enforcement or security personnel for the purpose of securing a polling place located on school district property. H.B. 332 establishes that failure to comply with the bill's provisions does not affect the requirement of the board of trustees to make a school facility available for use as a polling place.

H.B. 332 seeks to improve school security during elections by requiring a public school district to include in its Multihazard Emergency Operations Plan a policy for school district property used as a polling place.

H.B. 332 amends current law relating to the use of school district buildings as polling place locations.

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 37.108, Education Code, by adding Subsection (e), as follows:

(e) Requires a school district to include in its multihazard emergency operations plan a policy for school district property selected for use as a polling place under Section 43.031 (Polling Place in Public Building), Election Code. Authorizes the board of trustees, in developing the policy under this subsection, to consult with the local law enforcement agency with jurisdiction over the school district property selected as a polling place regarding reasonable security accommodations that may be made to the property. Prohibits this subsection from being interpreted to require the board of trustees to obtain or contract for the presence of law enforcement or security personnel for the purpose of securing a polling place located on school district property. Provides that failure to comply with this subsection does not affect the requirement of the board of trustees to make a school facility available for use as a polling place under Section 43.031, Election Code.

SECTION 2. Effective date: September 1, 2017.