

BILL ANALYSIS

H.B. 2154
By: Denny
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, in performing their duties, presiding judges of polling places and election precincts have the power of a district judge to enforce order and preserve the peace, including the power to issue an arrest warrant. Currently, some individuals who file a civil action regarding the conduct of an election judge on election day file under the original jurisdiction of the district court. This creates extra cost and confusion, as well as causes delays, because the suit must be filed again with the court of appeals, the court which has original jurisdiction over an appeal of an order or action of a district judge. House Bill 2154 amends the law to provide that if an individual files a suit against an election judge, the suit must be filed under the original jurisdiction of the court of appeals.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

House Bill 2154 provides that an appeal of an order or other action of the presiding judge of the polling place and election precinct is made in the same manner as the appeal of an order or other action of a district court in the county in which the polling place is located.

EFFECTIVE DATE

On passage, or if the Act does not receive the necessary votes, September 1, 2003.