

BILL ANALYSIS

S.B. 1215
By: Van de Putte
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, the deadline for ordering an election is 45 days before election day. This time allows local governing authorities time to meet the many requirements for the administration of and to prepare for elections. In the recent past, Texas has expanded voting opportunities to include an early voting period prior to election day. The deadline for ordering an election, however, has not been changed to accommodate this early voting period. Senate Bill 1215 changes the deadline for ordering an election and conforms other election-related deadlines to the new date.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the secretary of state in SECTION 4 (Section 144.005, Election Code) of this bill.

ANALYSIS

Senate Bill 1215 amends the Election, Education, Health and Safety, and Water Codes by requiring an authority of a political subdivision to order an election not later than the 62nd, rather than the 45th, day before election day. The bill modifies the deadline for filing an application for a place on the ballot, for omitting the name of a candidate from the ballot, and for filing a declaration of write-in candidacy to conform with the change in the deadline for ordering an election.

The bill requires the governing body of a political subdivision for which a deadline for filing for candidacy is prescribed by a law outside of the Election Code to take appropriate action to comply with the new deadline for ordering an election and to adjust any affected date, deadline, or procedure to allow the same interval of time in relation to the filing deadline. The bill requires the secretary of state to prescribe any rules necessary to facilitate the implementation of these changes.

EFFECTIVE DATE

November 1, 2003.