

BILL ANALYSIS

C.S.H.B. 57
By: Denny
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, Texas requires most elections to be held on one of four uniform election dates. According to data collected by the Texas Secretary of State, less than 3% of political subdivisions in the state hold elections on the uniform dates in February and September. Current law also provides an exception to the uniform date requirement for school and college districts holding elections to levy taxes or issue bonds. Often, these bond elections are not well publicized and have poor voter turnout. In 2004, over \$7.5 billion in debt was issued as a result of school district bond elections. These extra elections are costly to taxpayers, both in terms of the cost of the actual election and the increases in taxes, especially considering the lack of participation. Additionally, concerns have been expressed by those who administer elections about the timing of the May uniform election date and some of the procedures related to that election day. C.S.H.B. 57 reduces the authorized dates on which elections may be held and makes changes to the date of and procedures related to the May uniform election date.

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

CSHB 57 amends the Election, Education, and Water Codes by eliminating the uniform election dates in February and September. The bill provides that those elections previously required to be held on the February uniform election date are required to be held on the May uniform election date. The bill also requires political subdivisions that currently hold elections on the February or September dates to change the date of their regularly scheduled election to either the May or the November uniform election dates by December 31, 2005.

The bill removes the exception to the required use of uniform election dates for elections held by political subdivisions for the issuance or assumption of bonds relating to public schools or colleges or the levy of a tax for the maintenance of a public school or college.

CSHB 57 changes the May uniform election date to the second, rather than the first Saturday in May. The bill provides that the local canvass of results for elections held on the May uniform election date must occur not later than the 11th day after election day. The bill provides that the local canvass may not begin until the later of:

- the third day after election day;
- the date all provisional ballots have been verified and counted; or
- the date all overseas mail ballots for the election have been counted.

The bill provides that the period for early voting by personal appearance for elections held on the May uniform election date occurs between the 12th and 4th days before election day.

EFFECTIVE DATE

October 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original by providing that the May uniform election date is on the second, rather than the first, Saturday of the month. The substitute adds provisions relating to the time for the local canvass of results and the period for early voting by personal appearance for elections held on the May uniform election date. The substitute modifies the caption to conform to these changes.