

BILL ANALYSIS

Senate Research Center

H.B. 1209
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State Affairs
5/14/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, if a political subdivision holds an election on the November uniform election date, the precincts for its election can be different than the precincts for the general election. Because of this, polling places will also potentially be located in different buildings or different areas. Voters who wish to vote in all of the elections then need to go to two or more different polling places to cast their ballots, depending upon the number of elections being held and the various locations of the polling places.

H.B. 1209 simplifies the process of voting in elections held by various political subdivisions on the November uniform election date.

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 42.002(a), Election Code, by providing that county election precincts are the election precincts for any election held on the November uniform election date, as provided by Section 42.0621 (Precincts for Certain Elections).

SECTION 2. Amends Subchapter C, Chapter 42, Election Code, by adding Section 42.0621, as follows:

Sec. 42.0621. **PRECINCTS FOR NOVEMBER ELECTION.** (a) Requires the participating political subdivisions, in an election held on the November uniform election date, to use the regular county election precincts.

(b) Requires election officials to take reasonable measures to ensure that a voter voting at an election precinct may not vote in an election in which the voter is not entitled to vote if that precinct is not located wholly within the territory of a political subdivision holding an election in the precinct or a district used to elect an office at the election.

(c) Provides that this section does not require a political subdivision to contract with a county under Section 31.092 (Contract for Election Services Authorized) or hold a joint election with a county under Chapter 271 (Joint Elections).

(d) Requires the secretary of state to prescribe procedures to implement this section.

SECTION 3. Amends Section 43.004, Election Code, as follows:

Sec. 43.004. **DESIGNATION OF LOCATION: ELECTIONS OF OTHER POLITICAL SUBDIVISIONS.** (a). Creates this subsection from existing text.

(b) Requires the political subdivision to designate as the polling places for the election the regular county polling places in the county election precincts that

contain territory from the political subdivision if the a political subdivision holds an election on the November uniform election date.

SECTION 4. Effective date: September 1, 2005.