

## **BILL ANALYSIS**

H.B. 1209  
By: Gattis  
Elections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current law, a political subdivision establishes election precincts for elections ordered by the governing body of that political subdivision. County commissioners courts also divide counties into election precincts for use in the general elections for state and county officers, primary elections, special elections ordered by the governor, and other countywide elections. If a political subdivision, such as a city or school, 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. Often, voters do not even realize that there are separate locations for the other elections. This situation is burdensome for many voters and can lead to a depressed turnout for the elections held at polling locations other than the location of the general election. House Bill 1209 requires political subdivisions to use the county election precincts for elections held on the November 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; however, the Secretary of State is required to prescribe procedures in SECTION 2 (Sec. 42.0621, Election Code) of this bill.

### **ANALYSIS**

House Bill 1209 amends the Election Code by requiring political subdivisions to use the regular county election precincts in an election held on the November uniform election date. The bill provides that this does not require a political subdivision to contract with a county to administer the election or to hold a joint election with the county. The bill requires election officials to take reasonable measures to ensure that a voter may not vote in an election in which the voter is not entitled, if an election precinct is not located wholly within the territory holding the election. The bill requires the secretary of state to prescribe procedures to implement these provisions.

### **EFFECTIVE DATE**

September 1, 2005.