

BILL ANALYSIS

S.B. 1052
By: Van de Putte
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the roster for applications for ballot by mail is available upon the first business day after an election, which allows campaigns and the media to have access to the voters, but protects the identity of those voters who have requested a ballot to be cast early by mail before they actually make their decisions. This creates a difficulty in the primary election, because most applicants for a ballot by mail also request a ballot for a runoff election. Therefore, releasing the roster after the primary election and before the runoff fails to provide the safeguards intended for the voters. Senate Bill 1052 limits the availability of the roster of those who applied for a ballot by mail to the first business day after the runoff election and creates a misdemeanor offense for disclosing the roster prior to the authorized day.

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

Senate Bill 1052 amends the Election Code to prohibit information on the roster for a person to whom an early voting mail ballot (roster) has been sent from being disclosed until the first business day after the day of a runoff election, if the person indicated that the ballot was for an election and any resulting runoff. The bill provides that a person who violates provisions relating to the prohibition on disclosure of information on the roster commits a Class C misdemeanor.

EFFECTIVE DATE

September 1, 2005.