

BILL ANALYSIS

H.B. 556
By: Hilderbran
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Hickory Underground Water Conservation District No. 1 is a groundwater conservation district created by the petition process pursuant to Sections 36.013-36.015 of the Texas Water Code. The district boundaries were designated by the Texas Water Development Board to conform to the management area of the Hickory aquifer, rather than along county lines. Very small areas of Concho, Menard and Kimble County are included in the district, as well as portions of San Saba, Mason and McCulloch Counties.

In order to create five voting precincts with relatively equal voter populations, Precincts 3 and 4 of the district each include parts of three counties. Electronic voting stations that meet the requirements for accessibility of 42 U.S.C. Section 15481 (a)(3) are not programmable for precincts which cross county lines, thus making it necessary for the district to program three separate ballots within each of the two precincts.

Further, until now the district has been able to establish a single polling location in each precinct, but the necessity for separate programming, and for contracting with three separate political subdivisions for use of their voting stations within each precinct, makes it mandatory for the district to establish two additional polling locations in each precinct. There are no public buildings of any kind within district boundaries in two counties in each of those precincts. If the relevant counties do not have a sufficient number of voting stations to accommodate the district outside of their usual county polling locations, the district will have to purchase its own voting stations. In the past decade there have been fewer than 60 votes cast in elections for directors in precincts 3 and 4.

The purpose of the bill is to exempt the district from the voting station requirements of Section 61.012 of the Election Code in order to avoid excessively burdensome expense resulting from the non-typical district boundaries and to allow voters to continue to vote in locations to which they are accustomed.

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

H.B. 556 exempts the Hickory Underground Water Conservation District No. 1 from that portion of Section 61.012 of the Election Code requiring use of voting stations which meet the requirements for accessibility of 42 U.S.C. Section 15481 (a)(3), and requires the district to inform the Secretary of State of each polling place in the district where such voting stations will not be provided.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

