

BILL ANALYSIS

C.S.H.B. 1071
By: Aycock
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current statute does not include provisions for the procedures which should be followed upon the vacation of the county party chair. In the event that a county party chair vacates his position, all records and bank accounts should be turned over to the new county party chair within the first 30 days of the new term of office. C.S.H.B. 1071 would create a provision in the Election Code establishing the procedures that are to be followed upon the vacation on of the county party chair.

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

C.S.H.B. 1071 amends the election code by establishing procedures for the transfer of power between an outgoing county party chair and the new county party chair. C.S.H.B. 1071 sets a time frame for the transfer of records to happen no later than the 30th day of the new term of office and lists what records are to be included in the transfer. These records include:

- local party bank accounts over which the former county chair has authority and,
- original records including:
 - precinct and county chair canvass results,
 - candidate applications,
 - all paperwork related to the primary election, and
 - other documents concerning party affairs.

The bill allows an outgoing party chair to retain copies of all records for two years after their term ends.

EFFECTIVE DATE

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

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 1071 removes SECTION 1 of HB 1071. C.S.H.B. 1071 allows a person formerly serving as the county chair to make copies of records but does not require that person to do so.