

BILL ANALYSIS

H.B. 3143
By: Flynn
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law in Texas provides that during the time a voting polling place is open for the conduct of early voting or during a regular voting period, a person may not electioneer for or against any candidate, measure, or political party in or within 100 feet of an outside door through which a voter may enter the building or structure in which the early voting polling place is located.

To date, numerous complaints have been received by both political parties that overzealous Election Judges are attempting to enforce electioneering laws outside the 100 foot marker at a polling place.

House Bill 3143 prohibits Election Judges and special peace officers from prohibiting electioneering activities beyond the 100 foot marker at a polling place.

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

House Bill 3143 amends the Election Code by prohibiting the presiding judge or special peace officer from enforcing the prohibition against electioneering or loitering outside of the area within which electioneering and loitering are prohibited under Section 61.003 or 85.036 of the Election Code.

EFFECTIVE DATE

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