BILL ANALYSIS

Senate Research Center   C.S.S.B. 836
                                                                              By: Duncan, Shapiro
                                                                                    State Affairs
                                                                                      4/18/2007
                                                                    Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 758, 79th Legislature, Regular Session, 2005, established the superprecinct pilot project. Counties participating in the pilot project created countywide polling places to replace current polling places, thereby allowing voters to vote at any polling place in the county. However, the statute authorizing the program expired on January 2, 2007.

C.S.S.B. 836 requires the secretary of state to implement a new countywide polling places program as a pilot project until June 1, 2009, and authorizes the secretary of state to continue the project as a program after that date if the program has been found to be successful. The bill also sets forth the methods and criteria by which a county may participate in the program.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 43, Election Code, by adding Section 43.007, as follows:

> Sec. 43.007. COUNTYWIDE POLLING PLACE PROGRAM. (a) Requires the secretary of state to implement a program to allow each participating commissioners court to eliminate county election precincts (precincts) and establish countywide polling places for elections set forth in this subsection.
>
> (b) Requires the commissioners court in a county that desires to participate in this program to hold a public hearing on the county's participation in the program. Requires the court to submit a transcript or electronic recording of the public comments made at the hearing to the secretary of state. Provides that a county that has previously held a public hearing on participation in a similar program is not required to hold a hearing under this subsection.
>
> (c) Requires the secretary of state, in conducting the program, to provide for an audit of the direct recording electronic voting units before and after the election, and during the election to the extent it is practicable.
>
> (d) Requires the secretary of state to select certain counties specified in this subsection for participation in the program.
>
> (e) Requires each countywide polling place to allow a voter to vote in the same elections in which the voter was entitled to vote in the precinct in which the voter resides.
>
> (f) Authorizes the secretary of state to select a county to participate in the program that has previously participated in a similar program.
>
> (g) Requires the secretary of state to operate the program established under Subsection (a) as a pilot program until June 1, 2009.

(h)   Requires the secretary of state, at the conclusion of the pilot program established under Subsection (a) but not later than January 1, 2009, to file a report with the legislature.   Authorizes the report to include the secretary of state's recommendations on the future use of and suggestions for permanent statutory authority regarding countywide polling places.

(i) Provides that this section expires June 1, 2009.

SECTION 2. Effective date: upon passage or September 1, 2007.