

BILL ANALYSIS

S.B. 1434
By: Estes
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Early voting has grown since its inception to encompass almost half of the turnout in general elections. As a result of this growth, the selection of election judges for early voting precincts may be better suited by methods of selection used on Election Day through the suggestions of party chairs than through the current standards maintained in statutory law.

S.B. 1434 authorizes chairs of parties holding a primary election in a county to have certain input in the selection of election officers.

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

S.B. 1434 amends the heading to Subchapter A, Chapter 85, Election Code, to read as follows: "TIME AND PLACE FOR VOTING; ELECTION OFFICERS."

The bill amends the Election Code to require the county clerk to select election officers (officer) for the main early voting polling place and any branch polling place from a list provided by the bill, in a manner providing equal representation to the extent possible for each political party holding a primary election in the county (political party).

The bill requires the county chair of each political party to submit in writing to the county clerk, before July of each year, a list of names of persons eligible for selection as an officer in order of preference for each early voting polling place (list). S.B. 1434 authorizes the county chair to supplement the list until the 20th day before early voting begins in case an appointed officer becomes unable to serve. The bill requires the county clerk to appoint the first eligible person from the list submitted by the party with the highest number of votes in the county as the presiding officer and appoint the first eligible person from the list submitted by the party with the second highest number of votes in the county as the alternate presiding officer of that polling place. The bill requires the county clerk to appoint additional officers for each polling place in a manner providing equal representation to the extent possible for each political party. The bill authorizes the county clerk to reject the list if the persons on said list are ineligible.

S.B. 1434 authorizes the county clerk, after making a reasonable effort to consult with the party chair of the appropriate party or parties, to select officers for each early voting polling place in which a list is not submitted in a manner that attempts to ensure equal representation to the extent possible for the parties.

The bill repeals Section 85.069 of the Election Code.

EFFECTIVE DATE

September 1, 2007.