

BILL ANALYSIS

Senate Research Center
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S.B. 1434
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State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

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.

As proposed, 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

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Subchapter A, Chapter 85, Election Code, to read as follows:

SUBCHAPTER A. TIME AND PLACE FOR VOTING; ELECTION OFFICERS

SECTION 2. Amends Subchapter A, Chapter 85, Election Code, by adding Section 85.009, as follows:

Sec. 85.009. ELECTION OFFICERS FOR GENERAL ELECTION FOR STATE AND COUNTY OFFICERS. (a) Requires the county clerk to select election officers (officer) for the main early voting polling place and any branch polling place from a list provided under Subsection (b), in a manner providing equal representation for each political party holding a primary election in the county (political party).

(b) Requires the county chair of each political party to submit in writing to the county clerk a list of names of persons eligible for selection as an officer in order of preference for each early voting polling place (list). 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. Requires the county clerk to appoint the first and second eligible persons from the list submitted by the party with the highest and second highest number of votes in the county as the presiding officer and alternate presiding officer of that polling place, respectively. Requires the county clerk to appoint additional officers for each polling place in the manner described by Subsection (a). Authorizes the county clerk to reject the list if the persons on said list are ineligible.

(c) Authorizes the county clerk, after making a reasonable effort to consult with the appropriate party chair or chairs, to select officers for each early voting polling place in case a list does not ensure equal representation for the parties.

SECTION 3. Repealer: Section 85.069 (Election Officers Serving Branch Polling Place), Election Code.

SECTION 4. Effective date: September 1, 2007.