

BILL ANALYSIS

C.S.H.B. 252
By: Berman
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Poll workers play a pivotal role in the electoral process throughout Texas and other states, but these workers are increasingly harder to recruit. One of the reasons for the increasing shortage of poll workers is age. According to the U.S. Election Assistance Commission, the average age of a poll worker is 72. Unfortunately, a younger generation of poll workers is not replacing the older generation. Many states collaborate with county election officials and local school districts to establish youth poll worker programs. An advantage to using high school students at the polls is that by introducing them to the electoral process, they may develop an interest in the way government is run. In addition, young, able-bodied poll workers can handle the long hours and heavy lifting that accompany working at the polls, many high school students are bilingual and can serve as translators for non-English speaking voters, and many students are knowledgeable about the new technology and equipment currently being used at polling places.

Under current law, high school students are prohibited from participating as poll workers. With the current number of poll workers dwindling with each election, this law should be changed to allow high school students to work at the polls.

C.S.H.B. 252 sets forth provisions authorizing a high school student to serve as an election precinct clerk under certain conditions.

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. 252 amends the Election Code to establish that a student who is ineligible to serve as a clerk of an election precinct under state election laws is eligible to serve as such a clerk under these provisions if the student at the time of appointment as an election clerk is a student in good standing at an educational institution or attends a qualifying home school, has the equivalent of at least a 2.0 grade point average on a 4.0 scale, and has the consent of the principal of the student's educational institution or of the parent or legal guardian who is responsible for the home-schooled student's education. The bill requires the student, at the time of service as an election clerk, to be at least 16 years of age, be a United States citizen, and have completed any training course required by the entity holding the election. The bill entitles a student election clerk to compensation for services rendered in the same manner as other election clerks and authorizes a student election clerk to communicate with a non-English-speaking voter in a language the voter and the clerk understand. The bill authorizes the secretary of state to initiate or assist in the development of a statewide program promoting the use of student election clerks appointed under these provisions.

C.S.H.B. 252 amends the Education Code to include as a purpose for which a school district is required to excuse a student from attending school that the student is serving as an election clerk.

The bill authorizes a student who is appointed as an election clerk to apply the time served as a clerk toward a school project requirement at the discretion of the assigning teacher or toward a service requirement for participation in an advanced academic course at the discretion of the program sponsor or a school-sponsored extracurricular activity at the discretion of the school sponsor. The bill defines "educational institution" and "student."

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 252 differs from the original by defining "educational institution" as being either a public secondary school or a private or parochial secondary school that is accredited by an organization approved by the Texas Education Agency for private school accreditation, whereas the original requires that the private or parochial school be accredited by a body that is a member of the Texas Private School Accreditation Commission.

C.S.H.B. 252 differs from the original by requiring as a condition of eligibility to serve as a student election clerk that the student have a 2.0 grade point average, or its equivalent, whereas the original requires a 2.5 grade point average, or its equivalent.