

BILL ANALYSIS

C.S.H.B. 488
By: Bohac
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, the only eligibility requirement for an individual who wishes to serve as a volunteer deputy registrar is that the individual be 18 years of age or older.

C.S.H.B. 488 establishes that a person who has been finally convicted of a felony is ineligible to serve as a deputy registrar unless the person has fully discharged the sentence or has been pardoned or otherwise released from the resulting disability to vote.

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. 488 amends the Election Code to include as an eligibility requirement for appointment as a volunteer deputy registrar that the person has not been finally convicted of a felony or, if so convicted, has fully discharged the person's sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court, or has been pardoned or otherwise released from the resulting disability to vote. The bill changes the description of a person a registrar is prohibited from refusing to appoint as a volunteer deputy registrar from a resident of the county served by the registrar to a person eligible for appointment as a volunteer deputy registrar under these provisions. The bill provides that the appointment of a person serving as a volunteer deputy registrar who does not meet these new eligibility requirements expires on the effective date of this bill and requires the secretary of state to prescribe procedures necessary to implement the revised eligibility requirements.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 488 differs from the original by restoring statutory language struck in the original requiring a candidate for volunteer deputy registrar to be 18 years of age or older. The substitute removes a provision in the original requiring such a candidate to be eligible to register to vote in the county served by the registrar, and instead adds a provision requiring that the candidate has not been finally convicted of a felony or, if so convicted, has fully discharged the person's sentence or has been pardoned or otherwise released from the resulting disability to vote.

C.S.H.B. 488 differs from the original by prohibiting a registrar from refusing to appoint as a volunteer deputy registrar a person who meets the eligibility requirements established by this bill, rather than a person eligible to register to vote in the county served by the registrar as in the original.