

BILL ANALYSIS

C.S.H.B. 567
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Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, a precinct chair may serve as an election judge even if that person is listed on a contested ballot. Precinct chairs typically work the polls during the primary election and state law does not restrict that opportunity when they have an opponent. This conflict of interest does not serve the best interest of the voters.

C.S.H.B. 567 restricts a person who is a candidate in an election for a contested public or party office from being eligible to serve, in an election to be held on the same day as that election, as an election judge or clerk in any precinct in which the office sought is to be voted on.

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. 567 amends the Election Code to add a person who is a candidate in an election for a contested public or party office to the list of persons ineligible to serve, in an election to be held on the same day as that election, as an election judge or clerk in any precinct in which the office sought is to be voted on. The bill removes language making a person ineligible to serve as an election judge or clerk in an election if the person is a candidate for a public office in an election to be held on the same day. The bill exempts from the amended provision a county clerk or an unopposed candidate for the precinct chair.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 567 differs from the original by specifying that a person's ineligibility to serve as an election judge or clerk in an election is based on that person's candidacy for a contested public or party election to be held on the same day as that election, whereas the original retains the person's existing ineligibility based on the person's candidacy for public office without regard to whether it is a contested election and adds only the person's candidacy for a party office as a condition of ineligibility.

C.S.H.B. 567 differs from the original by making such person ineligible to serve as an election judge or clerk in any precinct in which the office sought is to be voted on, whereas the original renders such person ineligible to serve as an election judge or clerk without regard to precinct considerations.

C.S.H.B. 567 adds a provision not in the original exempting a county clerk from the amended provision.