

BILL ANALYSIS

S.B. 1134
By: Duncan
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Election workers play a pivotal role in the electoral process in Texas and the United States, and these workers are becoming more difficult to recruit and their average age is increasing. The United States Election Assistance Commission reports that the average age of an election worker is 72. Unfortunately, a younger general population of election workers is not available to replace these older workers. Thirty-nine states and the District of Columbia have turned to high schools as an alternative source of election workers.

Current state law does not allow high school students to participate as election workers, but there are many advantages to using high school students as election workers. Students are introduced to the electoral process and inspired with an interest in their government, younger workers can handle the long hours and heavy lifting required by election workers, and many high school students are bilingual and can translate for non-English speaking voters. Additionally, high school students are familiar with technology and able to work comfortably with the increasing amount of technology employed in the electoral process.

S.B. 1134 authorizes certain high school students to work as election clerks and requires a school district to excuse a student from attending school to work as an election clerk.

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. 1134 amends the Election Code to establish a student as eligible to serve as an election clerk of an election precinct who is ineligible to serve under general eligibility requirements if the student, at the time of appointment as an election clerk, is a student at an education institution or attends a home school that meets the requirements of state law and has the consent of the principal of the educational institution attended by the student or, in the case of a home-schooled student, a parent or legal guardian who is responsible for the student's education and, at the time of service as an election clerk, is 16 years of age or older, is a United States citizen, and has completed any training course required by the entity holding the election. The bill defines "educational institution" and "student."

S.B. 1134 entitles a student election clerk to compensation in the same manner as other election clerks and authorizes a clerk to communicate with a voter in a language the voter and the clerk understand when communicating with a voter who cannot communicate in English. The bill prohibits more than two student election clerks from serving at a polling place, except that not more than four student election clerks are authorized to serve at any countywide polling place. 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 the special eligibility requirements.

S.B. 1134 require a school district to excuse a student from attending school for serving as an election clerk, including travel for such a purpose.

S.B. 1134 authorizes a student who is appointed as a student election clerk to apply the time served as a student election clerk toward a requirement for a school project at the discretion of the teacher who assigned the project, or a service requirement for participation in an advanced academic course program at the discretion of the program sponsor or a school-sponsored extracurricular activity at the discretion of the school sponsor.

EFFECTIVE DATE

September 1, 2009.