

BILL ANALYSIS

C.S.S.B. 1402
By: Hinojosa
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Recently, there has been increased constituent outcry about lack of oversight in the election administration of small political subdivisions that is compromising the integrity of the election process and affecting constituent participation at the local level. Improper election administration might take the form of the unlawful appointment of election judges and clerks and the selection of inexperienced election workers.

C.S.S.B. 1402 requires certain political subdivisions to request a contract with the county elections administrator to perform election services.

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.S.B. 1402 amends the Election Code to require the governing body of a political subdivision located entirely in a county with a population of more than 500,000 that is served by a county elections administrator, that does not contain a municipality with a population of more than 150,000, and that is not an irrigation district to request an election services contract with the county elections administrator to perform all duties and functions of the political subdivision in relation to an election transferred under a contract for election services if the political subdivision receives a petition requesting the contract signed by a number of registered voters residing in the political subdivision that is equal to or exceeds one percent of all votes cast in the most recent general election held by the political subdivision. The bill requires the petition to be submitted to the clerk of the political subdivision before January 1 of the year in which the election to be administered under the requested election services contract will be held.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.S.B. 1402 differs from the original by including in the conditions that a political subdivision must meet to have the bill's provisions apply that the political subdivision is not an irrigation district.