

BILL ANALYSIS

H.B. 185
By: Smith, Todd
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law requires that a public notice of a general or special election provide the location of each polling place for the election, including a recent change requiring the notice to include the location of each early voting place for the election. Prior to that change, cities and other political subdivisions were required to publish only the main early voting location of each county and the early voting locations in the respective communities. Under federal law, electronic voting equipment is required to be used in conducting elections. Because counties have such equipment and often are the only leasing option available to other election authorities, cities and other political subdivisions generally contract with counties to use their voting equipment. As a consequence, cities and other political subdivisions must publish a notice of election of each early voting location for each entity that has contracted with the county, which can be extremely expensive for political subdivisions in more populous counties with a large number of polling locations. In addition, because all contracting political subdivisions are required to publish the same list, a voluminous list is published over and over, creating unnecessary duplication.

H.B. 185 remedies this situation by reinstating the earlier law, requiring political subdivisions to publish the main early voting location of their county and the early voting locations in their respective communities.

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

H.B. 185 amends the Election Code to remove language requiring that a notice of a general election or special election include the location of each early voting polling place. The bill requires that the election order and the election notice for early voting by personal appearance state the location of the main early voting polling place, rather than the location of each early voting place.

EFFECTIVE DATE

September 1, 2011.