BILL ANALYSIS

BACKGROUND AND PURPOSE

Under current law, early voting ballots may be counted by an early voting ballot board only when polls are open on election day or, in an election conducted by an authority of a county with a population of at least 100,000 or conducted jointly with such a county, until the end of the period for early voting by personal appearance. Interested parties assert that, while this restriction is designed to protect the integrity of the voting process, in reality it hurts many of the state's rural communities because it requires a county to have one set of electronic voting machines for early voting and a second set of machines for election day voting, when the early voting ballot board is counting the ballots on the first set of machines. H.B. 631 seeks to address this issue by allowing an early election voting ballot board to count the votes before election day in a manner approved by the secretary of state, thus allowing the county to use the same electronic voting machines for early voting and for election day voting.

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. 631 amends the Election Code to authorize an early voting ballot board to establish a process for removing data from voting machines used in early voting before the polls open on election day if the county will use the voting machines on election day and the secretary of state approves the process. The bill makes a conforming change.

EFFECTIVE DATE

September 1, 2009.