

BILL ANALYSIS

H.B. 1696
By: Zedler
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, if a voter registrar determines that a person who is not a registered voter has voted in an election, the registrar must report that information to the district attorney or county attorney who has jurisdiction over the election. The registrar also must report the suspected voter fraud to the attorney general, but only if the election covers territory in more than one county. H.B. 1696 removes that limitation, requiring a voter registrar to report suspected voter fraud to the attorney general whether the election covers territory in one county or more than one county.

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. 1696 amends the Election Code to include the attorney general as an attorney to whom a voter registrar, if the registrar determines that a person who is not a registered voter voted in an election, is required to deliver an affidavit executed by the registrar that states the relevant facts. The bill removes as the condition for sending such an affidavit to the attorney general that the election covers territory in more than one county.

H.B. 1696 includes the attorney general, as an alternative to a county or district attorney, as an attorney to whom affidavits alleging criminal conduct in connection with an election are to be provided, if the affidavits are presented by two or more registered voters of the territory covered by the election, and specifies that the requirement to investigate the allegation applies to the attorney receiving the affidavits. The bill removes a provision authorizing the voters to present the affidavits to the attorney general if the election covers territory in more than one county and requiring the attorney general to investigate those allegations.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.