

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Harless

H.B. No. 2477

A BILL TO BE ENTITLED

AN ACT

relating to the provision of bilingual election materials.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 272, Election Code, is amended by adding Section 272.011 to read as follows:

Sec. 272.011. BILINGUAL ELECTION MATERIALS REQUIRED IN CERTAIN POLITICAL SUBDIVISIONS. (a) If the director of the census determines under 42 U.S.C. Section 1973aa-1a that a political subdivision must provide election materials in a language other than English or Spanish, the political subdivision shall provide election materials in that language in the same manner in which the political subdivision would be required to provide materials in Spanish under this chapter, to the extent applicable.

(b) The secretary of state shall prepare the translation for election materials required to be provided in a language other than English or Spanish to the same extent that the secretary of state prepares Spanish translations under Section 272.007.

(c) The secretary of state may adopt rules as necessary to implement this section.

SECTION 2. This Act takes effect September 1, 2011.

ADOPTED

MAY 24 2011

*Atty Gen*  
*2477*  
Secretary of the Senate

By: ELLIS

Substitute the following for \_\_\_\_B. No. \_\_\_\_:

By: *Robbie Ellis*

C.S. \_\_\_\_B. No. \_\_\_\_

A BILL TO BE ENTITLED

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AN ACT

relating to provision of bilingual election materials.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 142.010, Election Code, is amended by adding Subsection (d) to read as follows:

(d) In conjunction with the certification required under Subsection (a), the secretary of state shall include appropriate ballot translation language, as applicable, for each language certified statewide or in a specific county by the director of the census under 42 U.S.C. Section 1973aa-1a.

SECTION 2. Section 161.008, Election Code, is amended by adding Subsection (d) to read as follows:

(d) In conjunction with the certification required under Subsection (a), the secretary of state shall include appropriate ballot translation language, as applicable, for each language certified statewide or in a specific county by the director of the census under 42 U.S.C. Section 1973aa-1a.

SECTION 3. Section 192.033, Election Code, is amended by adding Subsection (d) to read as follows:

(d) In conjunction with the certification required under Subsection (a), the secretary of state shall include appropriate ballot translation language, as applicable, for each language certified statewide or in a specific county by the director of the census under 42 U.S.C. Section 1973aa-1a.

1 SECTION 4. Section 274.003, Election Code, is amended by  
2 adding Subsection (c) to read as follows:

3 (c) In conjunction with the certification required under  
4 Subsection (a), the secretary of state shall include appropriate  
5 ballot translation language, as applicable, for each language  
6 certified statewide or for a specific county by the director of  
7 the census under 42 U.S.C. Section 1973aa-1a.

8 SECTION 5. Chapter 272, Election Code, is amended by  
9 adding Section 272.011 to read as follows:

10 Sec. 272.011. BILINGUAL ELECTION MATERIALS REQUIRED IN  
11 CERTAIN POLITICAL SUBDIVISIONS. (a) If the director of the  
12 census determines under 42 U.S.C. Section 1973aa-1a that a  
13 political subdivision must provide election materials in a  
14 language other than English or Spanish, the political  
15 subdivision shall provide election materials in that language in  
16 the same manner in which the political subdivision would be  
17 required to provide materials in Spanish under this chapter, to  
18 the extent applicable.

19 (b) The secretary of state shall prepare the translation  
20 for election materials required to be provided in a language  
21 other than English or Spanish for the following state prescribed  
22 voter forms:

23 (1) voter registration application form required by  
24 Section 13.002;

25 (2) the confirmation form required by Section 15.051;

26 (3) the voting instruction poster required by Section  
27 62.011;

- 1           (4) the statement of residence form required by  
2 Section 63.0011;
- 3           (5) the provisional ballot affidavit required by  
4 Section 63.011;
- 5           (6) the application for a ballot by mail required by  
6 Section 84.011;
- 7           (7) the carrier envelope and voting instructions  
8 required by Section 86.013; and
- 9           (8) any other voter forms that the secretary of state  
10 identifies as frequently used and for which state resources are  
11 otherwise available.

12           SECTION 6. This Act takes effect September 1, 2011.

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 24, 2011**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB2477** by Harless (Relating to provision of bilingual election materials.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend certain sections of the Election Code to require the Secretary of State (SOS) to include with certain certifications appropriate ballot translation language for each language certified statewide or in a specific county by the director of the census under 42 United States Code 1973aa-1a. The bill also would require political subdivisions to provide certain election materials in each language the census director determines under 42 United States Code 1973aa-1a and SOS would be required to prepare translations for certain state prescribed voter forms in each of those languages. The bill would take effect on September 1, 2011. It is assumed that there would be some costs associated with translating materials, but it is anticipated that any costs associated with implementation of the legislation could be absorbed within existing resources.

**Local Government Impact**

The bill would require some counties to print election materials in a language other than English and Spanish. Costs would vary depending on whether a particular county would be required to provide new election materials in the language other than English and Spanish and the number of speakers of said language in a given locality; however, costs are not anticipated to be significant.

**Source Agencies:** 307 Secretary of State

**LBB Staff:** JOB, SD, KJG, BTA

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 15, 2011**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on State Affairs

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB2477** by Harless (Relating to the provision of bilingual election materials.), **Committee Report 2nd House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend certain sections of the Election Code to require the Secretary of State (SOS) to include with certain certifications appropriate ballot translation language for each language certified statewide or in a specific county by the director of the census under 42 United States Code 1973aa-1a. The bill also would require political subdivisions to provide certain election materials in each language the census director determines under 42 United States Code 1973aa-1a and SOS would be required to prepare translations for certain state prescribed voter forms in each of those languages. The bill would take effect on September 1, 2011. It is assumed that there would be some costs associated with translating materials, but it is anticipated that any costs associated with implementation of the legislation could be absorbed within existing resources.

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**Source Agencies:** 307 Secretary of State

**LBB Staff:** JOB, KJG, BTA

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 10, 2011**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on State Affairs

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB2477** by Harless (Relating to the provision of bilingual election materials.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2477, As Engrossed: a negative impact of (\$157,741) through the biennium ending August 31, 2013.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2012	(\$132,741)
2013	(\$25,000)
2014	\$0
2015	(\$25,000)
2016	\$0

**All Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from General Revenue Fund 1</b>
2012	(\$132,741)
2013	(\$25,000)
2014	\$0
2015	(\$25,000)
2016	\$0

**Fiscal Analysis**

The bill would require political subdivisions to provide certain election materials in each language the census director determines under 42 United States Code 1973aa-1a and the Secretary of State (SOS) would be required to prepare translations for the election materials in each of those languages. SOS would also be allowed to adopt rules to implement this legislation. The bill would take effect on September 1, 2011.

**Methodology**

It is assumed that the 2010 census will result in the need for Vietnamese and Chinese translations of election materials at a cost of \$132,741 in fiscal year 2012 for translating all applicable election materials and \$25,000 in each odd numbered year to translate the changes in those election materials. It is anticipated that any additional costs associated with implementation of the legislation could be

absorbed within existing resources.

### **Local Government Impact**

The bill would require some counties to print election materials in a language other than English and Spanish. Costs would vary depending on whether a particular county would be required to provide new election materials in the language other than English and Spanish and the number of speakers of said language in a given locality; however, costs are not anticipated to be significant.

**Source Agencies:** 307 Secretary of State

**LBB Staff:** JOB, KJG, JT, BTA, KKR



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**April 3, 2011**

**TO:** Honorable Larry Taylor, Chair, House Committee on Elections

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB2477** by Harless (Relating to the provision of bilingual election materials.), As Introduced

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2477, As Introduced: a negative impact of (\$157,741) through the biennium ending August 31, 2013.

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**Source Agencies:** 307 Secretary of State

**LBB Staff:** JOB, JT, BTA, KKR