

BILL ANALYSIS

H.B. 127
By: Raymond
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In an effort to increase voter participation, a county near the international border with Mexico attempted to secure polling locations in areas most convenient to the average citizen, such as malls, shopping centers, and grocery stores, and interested parties observed that this effort originally resulted in an overall increase in voter participation. These parties contend that the number of private business owners willing to host the county's polling locations began to diminish as a result of complaints from private property owners stemming from electioneering practices that those property owners claim disrupted their businesses or damaged private property. H.B. 127 seeks to increase the number of private business owners who are willing to offer their property as a polling place by placing limitations on electioneering activities on privately owned premises.

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. 127 amends the Election Code to require the owner of a private business that owns a building in a county located on an international border that has a population of less than 300,000 in which there is a city with a population of more than 200,000 and in which a polling place is located to notify the authority holding the election if electioneering will be prohibited on the privately owned premises of the building outside of an area within 100 feet of an outside door through which a voter may enter the building.

H.B. 127 makes it an offense to loiter or electioneer for or against any candidate, measure, or political party during the voting period on the privately owned premises of a building located in such a county in which a polling place is located if the polling place is located in a building owned by a private business and the owner of the business has provided notice that electioneering is prohibited on the building's privately owned premises and makes it an offense on such premises and under such conditions to electioneer during the early voting period.

H.B. 127 repeals Section 85.036(d), Election Code.

EFFECTIVE DATE

September 1, 2013.