

BILL ANALYSIS

C.S.H.B. 506
By: Lozano
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

A number of political subdivisions hold their local elections at the same time as general elections. Interested parties assert that uniformity in the date and location of elections helps encourage voter turnout, but separate early voting locations may confuse voters and decrease turnout. C.S.H.B. 506 seeks to encourage voter turnout by providing for more uniformity in the location of early voting polling places for certain elections.

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

C.S.H.B. 506 amends the Election Code to apply provisions relating to early voting polling places for certain elections held by political subdivisions to an election held by a political subdivision, except for a county, on the November uniform election date in which the political subdivision is not holding a joint election with a county and has not executed a contract with a county elections officer under which the political subdivision and the county share early voting polling places for the election. The bill requires a political subdivision to designate as the early voting polling places for such an election any early voting polling place, other than a movable temporary branch polling place, established by the county and located in a county election precinct that contains territory from the political subdivision; or to designate another early voting polling place, other than a movable temporary branch polling place, established by the county as an early voting polling place if the county does not establish an early voting polling place within the territory of the political subdivision.

C.S.H.B. 506 authorizes a political subdivision that holds such an election to establish an early voting polling place located in the territory of the political subdivision if one is not otherwise located in that area. The bill requires a shared polling place that is designated as a main early voting polling place by any political subdivision to be open for voting for all political subdivisions the polling place serves for at least the days and hours required of a main early voting polling place for the political subdivision making the designation.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 506 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 42.002(a), Election Code, is amended to read as follows:

(a) The county election precincts are the election precincts for the following elections:

- (1) the general election for state and county officers;
- (2) a special election ordered by the governor;
- (3) a primary election;
- (4) a countywide election ordered by the commissioners court, county judge, or other county authority, except an election subject to Section 42.062(2); and
- (5) as provided by Section 42.0621, any other election held by ~~[on the November uniform election date of]~~ a political subdivision, other than a district that is created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, and is located in a county with a population of more than 3.3 million or a county adjacent to a county with a population of more than 3.3 million, on a uniform election date.

SECTION 2. The heading to Section 42.0621, Election Code, is amended to read as follows:

Sec. 42.0621. PRECINCTS FOR ELECTIONS HELD ON A UNIFORM ELECTION DATE ~~[NOVEMBER ELECTION]~~.

SECTION 3. Section 42.0621(a), Election Code, is amended to read as follows:

(a) In an election held on a ~~[the November]~~ uniform election date, the political subdivisions to which Section 42.002(a)(5) applies shall use the regular county election precincts.

SECTION 4. Section 43.004(b), Election Code, is amended to read as follows:

(b) If a political subdivision holds an election on a ~~[the November]~~ uniform election date and is required to use the regular county election precincts, the political subdivision shall designate as the polling places for the election the regular county polling places in the county election precincts that contain territory from the political subdivision.

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

No equivalent provision.

No equivalent provision.

No equivalent provision.

No equivalent provision.

SECTION 1. Subchapter A, Chapter 85, Election Code, is amended by adding Section 85.010 to read as follows:

Sec. 85.010. EARLY VOTING POLLING PLACES FOR CERTAIN ELECTIONS HELD BY POLITICAL SUBDIVISIONS.

(a) This section applies to an election held by a political subdivision, other than a county, on the November uniform election date in which the political subdivision:

(1) is not holding a joint election with a county in accordance with Chapter 271; and

(2) has not executed a contract with a county elections officer under which the political subdivision and the county share early voting polling places for the election.

(b) A political subdivision that holds an election described by Subsection (a) shall:

(1) designate as the early voting polling places for the election any early voting polling place, other than a polling place established under Section 85.062(e), established by the county and located in a county election precinct that contains territory from the political subdivision; or

(2) notwithstanding Section 85.002, designate another early voting polling place, other than a polling place established under Section 85.062(e), established by the county as an early voting polling place if the county does not establish an early voting polling place within the territory of the political subdivision.

(c) A political subdivision that holds an election described by Subsection (a) may establish an early voting polling place located in the territory of the political subdivision if one is not otherwise located in that area under this section.

(d) A shared polling place established under Subsection (b) that is designated as a main early voting polling place by any political subdivision must be open for voting for all political subdivisions the polling place serves for at least the days and hours required of a main early voting polling place under Section 85.002 for the political subdivision making the designation.

SECTION 5. This Act takes effect September 1, 2013.

SECTION 2. Same as introduced version.