

BILL ANALYSIS

Senate Research Center
83R4492 ADM-D

H.B. 1164
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State Affairs
4/30/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a county must honor the ward lines of a city with a population of 10,000 or more when redistricting, a practice that was established because a city's ward voters vote only on the candidates in their ward. Interested parties note that the statewide proliferation of electronic voting equipment permits the wards in each voter's individual file to be identified upon registration and that voting machines are now programmed so any combination of ballots can be uniquely displayed on each machine. These parties contend that requiring election workers to administer additional precincts during federal, state, and county elections is unnecessary and adds additional costs to conducting such elections. H.B. 1164 seeks to save local entities money by eliminating the requirement that a county honor the ward lines of certain cities when establishing a county election precinct.

H.B. 1164 amends current law relating to the territory that may be included in a single county election precinct.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 42.005, Election Code, to read as follows:

Sec. 42.005. RELATIONSHIP TO DISTRICTS AND JUSTICE AND COMMISSIONERS PRECINCTS.

SECTION 2. Amends Section 42.005(a), Election Code, to delete a ward in a city with a population of 10,000 or more from the list of certain types of territorial units that a county election precinct, including a consolidated precinct, is prohibited from containing.

SECTION 3. Amends Section 42.010(c), Election Code, to authorize the commissioners court, after each redistricting of a territorial unit described by Section 42.005(a)(3) (relating to prohibiting a county election district, including a consolidated precinct, from containing territory from more than one of certain territorial units, including a congressional district), (4) (relating to prohibiting a county election district, including a consolidated precinct, from containing territory from more than one of certain territorial units, including a state representative district), (5) (relating to prohibiting a county election district, including a consolidated precinct, from containing territory from more than one of certain territorial units, including a state senatorial district), or (6) (relating to prohibiting a county election district, including a consolidated precinct, from containing territory from more than one of certain territorial units, including a State Board of Education district), rather than a territorial unit described by Section 42.005(a)(3), (4), (5), or (7), to submit recommendations to the secretary of state on changes to the territorial units to allow the county to eliminate county election precincts with no population or a substantially small population.

SECTION 4. Repealers: Sections 42.005(c) (defining "ward" in this section) and (d) (relating to providing that county election precincts are not required to comply with Subsection (a)(6) if certain conditions are met), Election Code.

Repealer: Section 42.010(a) (relating to authorizing the commissioners court, after each redistricting of a ward of a city described by Section 42.005(a)(6), to submit recommendations to the governing body of the city on changes to the wards of the city to allow the city to eliminate county election precincts with no or a substantially small population), Election Code.

SECTION 5. Effective date: upon passage or September 1, 2013.