

BILL ANALYSIS

C.S.H.B. 3065
By: Menéndez
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties report that current law authorizes the secretary of state to provide reimbursement for primary election expenses directly to the county election officer, but only in certain counties. The parties explain that this can be problematic, and C.S.H.B. 3065 seeks to change this process to provide for the possibility of direct repayment to county election officers in all counties.

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. 3065 amends the Election Code to remove language limiting to a county with a population of 100,000 or more a provision authorizing the secretary of state to provide payment of primary expenses directly to a county election officer who incurs the expense rather than to the county chair, on request of the election officer who conducts the primary election.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3065 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

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. CHAPTER 173. PRIMARY ELECTION FINANCING is amended as follows:

No equivalent provision.

SUBCHAPTER A. PRIMARY ELECTION EXPENSES GENERALLY

Sec. 173.001. STATE FUNDS FOR PRIMARY AUTHORIZED. (a) Subject to legislative appropriation, state funds may be spent as provided by this chapter to pay expenses incurred by a political party in connection with a primary election.

(b) Expenses incurred in connection with a convention of a political party or other party activity that is not necessary for the holding

of a primary election may not be paid with state funds.

(c) The secretary of state may spend state funds appropriated for primary finance to pay salaries and other necessary expenses in connection with the administration of primary elections.

(d) If the amount of the funds appropriated for the financing of primary elections is insufficient to satisfy the requests for those funds made under this code, the secretary of state may distribute the amount of the appropriation on a pro rata basis. Each party executive committee is entitled to a proportionate share of that amount according to that committee's percentage of the total amount requested.

(e) Payment of funds requested by a political party in connection with a primary election authorized in this section shall be paid directly to the county in which the primary elections were held.

No equivalent provision.

SECTION 1. Section 173.0832, Election Code, is amended to read as follows:

Sec. 173.0832. DIRECT REPAYMENT TO AUTHORITY CONDUCTING PRIMARY ELECTION UNDER CONTRACT [~~IN CERTAIN COUNTIES~~]. On request of a county election officer [~~of a county with a population of 100,000 or more~~] who conducts a primary election under an election services contract authorized under Subchapter D, Chapter 31, the secretary of state may provide payment of primary expenses directly to the officer who incurs the expense rather than to the county chair under this subchapter. The secretary of state shall prescribe procedures to implement this section.

SECTION 2. This Act takes effect September 1, 2013.

SECTION 2. Same as introduced version.