

SENATE AMENDMENTS

2nd Printing

By: Morrison, Rodriguez of Travis, Klick, Wu,
Miller of Fort Bend

H.B. No. 3103

A BILL TO BE ENTITLED

AN ACT

relating to the administration of primary elections, the nomination of candidates by convention, and voting by certain military and overseas voters.

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

SECTION 1. Section 101.007, Election Code, is amended by adding Subsection (d) to read as follows:

(d) The secretary of state shall make a checklist or similar guidelines available for optional use by early voting clerks in processing an application and providing balloting materials under this chapter.

SECTION 2. Section 101.107(b), Election Code, is amended to read as follows:

(b) A voter who receives a ballot under this subchapter must return the ballot in the same manner as required under Section 101.057 except that a voter who completes a signature sheet is not required to complete a carrier envelope. Except ~~[and, except]~~ as provided by Chapter 105, the voter may not return the ballot by electronic transmission.

SECTION 3. Section 172.022(b), Election Code, is amended to read as follows:

(b) Not later than the day before the last day of the filing period, the county chair shall post on the political party's Internet website or in the location where a candidate files for a

1 place on the ballot [~~bulletin board used for posting notice of~~
2 ~~meetings of the commissioners court a]~~ notice of the address at
3 which the county chair or secretary will be available to receive
4 applications on the last day of the filing period. If both the
5 county chair and the secretary will be available, the notice must
6 contain the address at which each will be available. Section 1.006
7 does not apply to this subsection.

8 SECTION 4. Sections 172.028(a) and (b), Election Code, are
9 amended to read as follows:

10 (a) Except as provided by Subsection (c), the state chair
11 shall certify to the secretary of state [~~in writing~~] for placement
12 on the general primary election ballot the name of each candidate
13 who files with the chair an application that complies with Section
14 172.021(b). The secretary of state shall post on the secretary's
15 Internet website that is viewable by the public the certified list.

16 (b) Not later than the 81st day before general primary
17 election day, the state chair shall notify [~~deliver the~~
18 ~~certification to~~] the county chair in each county in which the
19 candidate's name is to appear on the ballot that the certification
20 has been posted by the secretary of state.

21 SECTION 5. Section 172.029, Election Code, is amended to
22 read as follows:

23 Sec. 172.029. SUBMISSION AND COMPILATION OF INFORMATION
24 PERTAINING TO [~~LIST OF~~] CANDIDATES. (a) For each general primary
25 election, the state chair and each county chair shall
26 electronically submit the following information [~~prepare a list~~
27 ~~containing~~]:

1 (1) the name of each candidate who files an
2 application for a place on the ballot with the chair, including an
3 application for the office of a political party;

4 (2) the name of each candidate whose application meets
5 the requirements of Section 172.021 and is accepted by the chair, as
6 the name is to appear on the ballot;

7 (3) [~~(2)~~] the candidate's address as shown on the
8 application; [~~and~~]

9 (4) [~~(3)~~] the date on which the candidate filed the
10 application; and

11 (5) any additional information required by the
12 secretary of state.

13 (b) The secretary of state shall continuously maintain an
14 online database of information submitted under this section. The
15 database must be accessible by the county and precinct chairs of the
16 party that submitted the information. Any changes in the party's
17 county or precinct chairs shall be reported to the secretary of
18 state. The secretary of state shall adopt rules to implement this
19 section, including rules regarding the public availability of
20 information submitted under this section. [~~The candidates' names~~
21 ~~must be grouped on the list according to office.~~]

22 (c) The secretary of state may by rule prescribe a deadline
23 by which [~~Not later than the 10th day after the date of the regular~~
24 ~~filing deadline for candidates' applications,~~] the state chair must
25 [~~shall~~] deliver the chair's submission regarding a candidate [~~list~~]
26 to the secretary of state, and each county chair shall deliver a
27 copy of the chair's submission regarding a candidate [~~list~~] to the

county clerk, the state chair, and the secretary of state when the chair accepts the application. The secretary of state may by rule prescribe a deadline for the delivery of a submission under this subsection.

(d) The secretary of state shall be notified if a ~~[A candidate's name must be omitted from the list if, before delivery of the list, the]~~ candidate withdraws, dies, or is declared ineligible, or if the candidate's application is determined not to comply with the applicable requirements. The secretary of state shall adopt rules implementing this subsection.

(e) The secretary of state shall:

(1) archive and keep available for inspection a list of all candidates for whom information has been submitted under this section; and

(2) prescribe rules for submitting the list electronically and methodology for distribution to each county clerk and state chair ~~[shall retain each list received until the day after general primary election day].~~

SECTION 6. Sections 172.054(a) and (b), Election Code, are amended to read as follows:

(a) The deadline for filing an application for a place on the general primary election ballot is extended as provided by this section if a candidate who has made an application that complies with the applicable requirements:

(1) dies on or after the fifth day before the date of the regular filing deadline and on or before the first ~~[79th]~~ day after the date of the regular filing deadline ~~[before general~~

1 ~~primary election day~~];

2 (2) holds the office for which the application was
3 made and withdraws or is declared ineligible on ~~[or after]~~ the date
4 of the regular filing deadline ~~[and on]~~ or ~~[before]~~ the first ~~[79th]~~
5 day after the date of the regular filing deadline ~~[before general~~
6 ~~primary election day]~~; or

7 (3) withdraws or is declared ineligible during the
8 period prescribed by Subdivision (2), and at the time of the
9 withdrawal or declaration of ineligibility no other candidate has
10 made an application that complies with the applicable requirements
11 for the office sought by the withdrawn or ineligible candidate.

12 (b) An application for an office sought by a withdrawn,
13 deceased, or ineligible candidate must be filed not later than 6
14 p.m. of the fifth day after the date of the regular filing deadline
15 ~~[81st day before general primary election day]~~. An application
16 filed by mail with the state chair is not timely if received later
17 than 5 p.m. of the fifth day after the date of the regular filing
18 deadline ~~[81st day before general primary election day]~~.

19 SECTION 7. Sections 172.056(a) and (b), Election Code, are
20 amended to read as follows:

21 (a) If the deadline for filing applications is extended, an
22 electronic submission shall be made ~~[a list shall be prepared, as~~
23 ~~provided by Section 172.029 for a list of candidates who file during~~
24 ~~the regular filing period,]~~ containing the name of each candidate:

25 (1) who files an application that complies with the
26 applicable requirements during the extended filing period; and

27 (2) whose name is not submitted ~~[on the list prepared]~~

under Section 172.029.

(b) Notification shall be made as prescribed by Section 172.029 that additional names have been added during the extended period. ~~[The list prepared under this section is subject to the requirements prescribed by Section 172.029 except that the list must be delivered to the secretary of state, county clerk, and state chair, as applicable, not later than the seventh day after the date of the extended deadline.]~~

SECTION 8. Section 172.057, Election Code, is amended to read as follows:

Sec. 172.057. WITHDRAWN, DECEASED, OR INELIGIBLE CANDIDATE'S NAME OMITTED FROM GENERAL PRIMARY BALLOT. A candidate's name shall be omitted from the general primary election ballot if the candidate withdraws, dies, or is declared ineligible on or before the first [79th] day after the date of the regular filing deadline ~~[before general primary election day]~~.

SECTION 9. Section 172.058(a), Election Code, is amended to read as follows:

(a) If a candidate who has made an application for a place on the general primary election ballot that complies with the applicable requirements dies or is declared ineligible after the first [79th] day after the date of the regular filing deadline ~~[before general primary election day]~~, the candidate's name shall be placed on the ballot and the votes cast for the candidate shall be counted and entered on the official election returns in the same manner as for the other candidates.

SECTION 10. Section 172.082(e), Election Code, is amended

1 to read as follows:

2 (e) The county chair shall post notice of the date, hour,
3 and place of the drawing for at least 24 consecutive hours
4 immediately before the drawing begins. The notice shall be posted
5 on the bulletin board used for posting notice of meetings of the
6 commissioners court. If the party maintains an Internet website,
7 the party shall post the notice on the party's website. All
8 candidates who provide an e-mail address on their filing form shall
9 be notified electronically.

10 SECTION 11. Section 172.084(e), Election Code, is amended
11 to read as follows:

12 (e) The notice required by Subsection (d) shall be posted on
13 the bulletin board used for posting notice of meetings of the
14 commissioners court. If the party maintains an Internet website,
15 the party shall post the notice on the party's website. All
16 candidates who provide an e-mail address on their filing form shall
17 be notified electronically.

18 SECTION 12. Sections 172.118(a) and (d), Election Code, are
19 amended to read as follows:

20 (a) Not later than the 20th day after the date the local
21 canvass is completed, the county chair shall deliver written notice
22 to the state chair and to the county clerk of the names of the
23 persons elected as county chair and precinct chairs for the county.
24 This notice may be given by electronic means or through an
25 electronic submission system adopted by the state executive
26 committee of the party.

27 (d) On request of the secretary of state, the state chair

1 shall deliver to the secretary written notice of the names and
2 addresses of the party's county chairs. This notice may be given in
3 electronic format as set out in rules adopted by the secretary of
4 state.

5 SECTION 13. Section 172.119(b), Election Code, is amended
6 to read as follows:

7 (b) The county chair shall deliver the county returns and
8 retain a copy in the same manner as the county returns for a general
9 election are delivered and retained by the county clerk except that
10 the delivery shall be made to the state chair. The state executive
11 committee may adopt by rule an electronic submission system for
12 delivery of the county returns.

13 SECTION 14. Section 172.124, Election Code, is amended by
14 adding Subsection (d) to read as follows:

15 (d) The secretary of state shall create and maintain an
16 electronic system for submission of the report.

17 SECTION 15. Section 172.125(a), Election Code, is amended
18 to read as follows:

19 (a) For a runoff primary election, the voter registrar shall
20 make appropriate notations to indicate ~~[enter on the list of~~
21 ~~registered voters a notation beside each voter's name indicating]~~
22 the preceding party primary for which the voter was accepted for
23 voting, if any.

24 SECTION 16. Section 181.033(a), Election Code, is amended
25 to read as follows:

26 (a) Except as provided by Subsection (b), an application for
27 nomination by a convention must be filed not later than the regular

1 deadline for candidates to file applications for a place on the
2 general primary ballot [~~5 p.m. on January 2 preceding the~~
3 ~~convention~~].

4 SECTION 17. Sections 202.004(a) and (c), Election Code, are
5 amended to read as follows:

6 (a) A political party's nominee for an unexpired term must
7 be nominated by primary election if:

8 (1) the political party is making nominations by
9 primary election for the general election in which the vacancy is to
10 be filled; and

11 (2) the vacancy occurs on or before the fifth [~~62nd~~]
12 day before the date of the regular deadline for candidates to file
13 applications for a place on the general primary ballot [~~general~~
14 ~~primary election day~~].

15 (c) If the vacancy occurs after the 10th day before the date
16 of the regular filing deadline, an application for the unexpired
17 term must be filed not later than 6 [~~5~~] p.m. of the fifth day after
18 the date of the regular filing deadline [~~15th day after the date the~~
19 ~~vacancy occurs or 5 p.m. of the 60th day before general primary~~
20 ~~election day, whichever is earlier~~].

21 SECTION 18. (a) The secretary of state shall conduct a
22 study on the effects of changing the presidential primary election
23 date. In conducting the study, the secretary shall consult with all
24 political parties in this state that hold presidential primary
25 elections.

26 (b) The secretary of state shall report the results of this
27 study and make recommendations for any legislation to the 84th

1 Legislature.

2 (c) This section expires June 1, 2015.

3 SECTION 19. Section 172.028(d), Election Code, is repealed.

4 SECTION 20. (a) Section 50, Chapter 1318 (S.B. 100), Acts
5 of the 82nd Legislature, Regular Session, 2011, is repealed.

6 (b) The secretary of state may not adjust or modify affected
7 election dates, deadlines, or procedures to implement the federal
8 Military and Overseas Voter Empowerment Act under Section 50,
9 Chapter 1318 (S.B. 100), Acts of the 82nd Legislature, Regular
10 Session, 2011.

11 (c) This section takes effect December 31, 2016.

12 SECTION 21. Except as otherwise provided by this Act, this
13 Act takes effect immediately if it receives a vote of two-thirds of
14 all the members elected to each house, as provided by Section 39,
15 Article III, Texas Constitution. If this Act does not receive the
16 vote necessary for immediate effect, this Act takes effect
17 September 1, 2013.

ADOPTED

MAY 22 2013

By: Duncan

Atty Gen
Secretary of the Senate

H.B. No. 3103

Substitute the following for ____ .B. No. ____ :

By: *Ph*

C.S. ____ .B. No. ____

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the administration of primary elections, the
3 nomination of candidates by convention, and voting by certain
4 military and overseas voters.

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

6 SECTION 1. Section 172.022(b), Election Code, is amended
7 to read as follows:

8 (b) Not later than the day before the last day of the
9 filing period, the county chair shall post on the political
10 party's Internet website or in the location where a candidate
11 files for a place on the ballot [~~bulletin board used for posting~~
12 ~~notice of meetings of the commissioners court a~~] notice of the
13 address at which the county chair or secretary will be available
14 to receive applications on the last day of the filing period.
15 If both the county chair and the secretary will be available,
16 the notice must contain the address at which each will be
17 available. Section 1.006 does not apply to this subsection.

18 SECTION 2. Sections 172.028(a) and (b), Election Code, are
19 amended to read as follows:

20 (a) Except as provided by Subsection (c), the state chair
21 shall certify to the secretary of state [~~in writing~~] for
22 placement on the general primary election ballot the name of
23 each candidate who files with the chair an application that
24 complies with Section 172.021(b). The secretary of state shall

1 post on the secretary's Internet website that is viewable by the
2 public the certified list.

3 (b) Not later than the 81st day before general primary
4 election day, the state chair shall notify ~~[deliver the~~
5 ~~certification to]~~ the county chair in each county in which the
6 candidate's name is to appear on the ballot that the
7 certification has been posted by the secretary of state.

8 SECTION 3. Section 172.029, Election Code, is amended to
9 read as follows:

10 Sec. 172.029. SUBMISSION AND COMPILATION OF INFORMATION
11 PERTAINING TO ~~[LIST OF]~~ CANDIDATES. (a) For each general
12 primary election, the state chair and each county chair shall
13 electronically submit the following information ~~[prepare a list~~
14 ~~containing]~~:

15 (1) the name of each candidate who files an
16 application for a place on the ballot with the chair, including
17 an application for the office of a political party;

18 (2) the name of each candidate whose application
19 meets the requirements of Section 172.021 and is accepted by the
20 chair, as the name is to appear on the ballot;

21 (3) [+2] the candidate's address as shown on the
22 application; ~~[and]~~

23 (4) [+3] the date on which the candidate filed the
24 application; and

25 (5) any additional information required by the
26 secretary of state.

27 (b) The secretary of state shall continuously maintain an

1 online database of information submitted under this section.
2 The database must be accessible by the county and precinct
3 chairs of the party that submitted the information. Any changes
4 in the party's county or precinct chairs shall be reported to
5 the secretary of state. The secretary of state shall adopt
6 rules to implement this section, including rules regarding the
7 public availability of information submitted under this section.
8 ~~[The candidates' names must be grouped on the list according to~~
9 ~~office.]~~

10 (c) The secretary of state may by rule prescribe a
11 deadline by which ~~[Not later than the 10th day after the date~~
12 ~~of the regular filing deadline for candidates' applications,]~~
13 the state chair must ~~[shall]~~ deliver the chair's submission
14 regarding a candidate ~~[list]~~ to the secretary of state, and each
15 county chair shall deliver a copy of the chair's submission
16 regarding a candidate ~~[list]~~ to the county clerk, the state
17 chair, and the secretary of state when the chair accepts the
18 application. The secretary of state may by rule prescribe a
19 deadline for the delivery of a submission under this subsection.

20 (d) The secretary of state shall be notified if a [A
21 ~~candidate's name must be omitted from the list if, before~~
22 ~~delivery of the list, the]~~ candidate withdraws, dies, or is
23 declared ineligible, or if the candidate's application is
24 determined not to comply with the applicable requirements. The
25 secretary of state shall adopt rules implementing this
26 subsection.

27 (e) The secretary of state shall:

1 (1) archive and keep available for inspection a list
2 of all candidates for whom information has been submitted under
3 this section; and

4 (2) prescribe rules for submitting the list
5 electronically and methodology for distribution to each county
6 clerk and state chair [~~shall retain each list received until the~~
7 ~~day after general primary election day~~].

8 SECTION 4. Sections 172.056(a) and (b), Election Code, are
9 amended to read as follows:

10 (a) If the deadline for filing applications is extended,
11 an electronic submission shall be made [~~a list shall be~~
12 ~~prepared, as provided by Section 172.029 for a list of~~
13 ~~candidates who file during the regular filing period,~~]
14 containing the name of each candidate:

15 (1) who files an application that complies with the
16 applicable requirements during the extended filing period; and

17 (2) whose name is not submitted [~~on the list~~
18 ~~prepared~~] under Section 172.029.

19 (b) Notification shall be made as prescribed by Section
20 172.029 that additional names have been added during the
21 extended period. [~~The list prepared under this section is~~
22 ~~subject to the requirements prescribed by Section 172.029 except~~
23 ~~that the list must be delivered to the secretary of state,~~
24 ~~county clerk, and state chair, as applicable, not later than the~~
25 ~~seventh day after the date of the extended deadline.~~]

26 SECTION 5. Section 172.082(e), Election Code, is amended
27 to read as follows:

1 (e) The county chair shall post notice of the date, hour,
2 and place of the drawing for at least 24 consecutive hours
3 immediately before the drawing begins. The notice shall be
4 posted on the bulletin board used for posting notice of meetings
5 of the commissioners court. If the party maintains an Internet
6 website, the party shall post the notice on the party's website.
7 All candidates who provide an e-mail address on their filing
8 form shall be notified electronically.

9 SECTION 6. Section 172.084(e), Election Code, is amended
10 to read as follows:

11 (e) The notice required by Subsection (d) shall be posted
12 on the bulletin board used for posting notice of meetings of the
13 commissioners court. If the party maintains an Internet
14 website, the party shall post the notice on the party's website.
15 All candidates who provide an e-mail address on their filing
16 form shall be notified electronically.

17 SECTION 7. Sections 172.118(a) and (d), Election Code, are
18 amended to read as follows:

19 (a) Not later than the 20th day after the date the local
20 canvass is completed, the county chair shall deliver written
21 notice to the state chair and to the county clerk of the names
22 of the persons elected as county chair and precinct chairs for
23 the county. This notice may be given by electronic means or
24 through an electronic submission system adopted by the state
25 executive committee of the party.

26 (d) On request of the secretary of state, the state chair
27 shall deliver to the secretary written notice of the names and

1 addresses of the party's county chairs. This notice may be
2 given in electronic format as set out in rules adopted by the
3 secretary of state.

4 SECTION 8. Section 172.119(b), Election Code, is amended
5 to read as follows:

6 (b) The county chair shall deliver the county returns and
7 retain a copy in the same manner as the county returns for a
8 general election are delivered and retained by the county clerk
9 except that the delivery shall be made to the state chair. The
10 state executive committee may adopt by rule an electronic
11 submission system for delivery of the county returns.

12 SECTION 9. Section 172.124, Election Code, is amended by
13 adding Subsection (d) to read as follows:

14 (d) The secretary of state shall create and maintain an
15 electronic system for submission of the report.

16 SECTION 10. Section 172.125(a), Election Code, is amended
17 to read as follows:

18 (a) For a runoff primary election, the voter registrar
19 shall make appropriate notations to indicate ~~[enter on the list~~
20 ~~of registered voters a notation beside each voter's name~~
21 ~~indicating]~~ the preceding party primary for which the voter was
22 accepted for voting, if any.

23 SECTION 11. Section 181.033(a), Election Code, is amended
24 to read as follows:

25 (a) Except as provided by Subsection (b), an application
26 for nomination by a convention must be filed not later than the
27 regular deadline for candidates to file applications for a place

1 on the general primary ballot [~~5 p.m. on January 2 preceding the~~
2 ~~convention~~].

3 SECTION 12. (a) The secretary of state shall conduct a
4 study on the effects of changing the presidential primary
5 election date. In conducting the study, the secretary shall
6 consult with all political parties in this state that hold
7 presidential primary elections.

8 (b) The secretary of state shall report the results of
9 this study and make recommendations for any legislation to the
10 84th Legislature.

11 (c) This section expires June 1, 2015.

12 SECTION 13. Except as otherwise provided by this Act, this
13 Act takes effect immediately if it receives a vote of two-thirds
14 of all the members elected to each house, as provided by Section
15 39, Article III, Texas Constitution. If this Act does not
16 receive the vote necessary for immediate effect, this Act takes
17 effect September 1, 2013.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 23, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3103 by Morrison (Relating to the administration of primary elections, the nomination of candidates by convention, and voting by certain military and overseas voters.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code to require certain actions to be taken by the county chair, state chair, political parties, voter registrars, and the Secretary of State related to: certain filing and election deadlines, dates, and procedures; candidates who have filed for inclusion on an electoral ballot; the manner in which names are listed on a primary or primary runoff election ballot; making a notification of persons elected as party officers; the submission of county election returns; the reporting of precinct election results; and notations in runoff primary elections concerning the party status of a voter.

The Secretary of State indicates there would be a minimal cost associated with implementing the provisions of the bill.

This bill would take effect immediately if it receives a vote of two-thirds of each house; if not, it will take effect on September 1, 2013.

Local Government Impact

There may be some savings to counties associated with changing to an electronic posting and notification process; however, any fiscal impact is not anticipated to be significant.

Source Agencies: 307 Secretary of State

LBB Staff: UP, SD, AG, EP, CK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 14, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3103 by Morrison (Relating to the administration of primary elections, the nomination of candidates by convention, and voting by certain military and overseas voters.),
Committee Report 2nd House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code to require certain actions to be taken by the county chair, state chair, political parties, voter registrars, and the Secretary of State related to: certain filing and election deadlines, dates, and procedures; candidates who have filed for inclusion on an electoral ballot; the manner in which names are listed on a primary or primary runoff election ballot; making a notification of persons elected as party officers; the submission of county election returns; the reporting of precinct election results; and notations in runoff primary elections concerning the party status of a voter.

The Secretary of State indicates there would be a minimal cost associated with implementing the provisions of the bill.

This bill would take effect immediately if it receives a vote of two-thirds of each house; if not, it will take effect on September 1, 2013.

Local Government Impact

There may be some savings to counties associated with changing to an electronic posting and notification process; however, any fiscal impact is not anticipated to be significant.

Source Agencies: 307 Secretary of State

LBB Staff: UP, AG, EP, CK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 12, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3103 by Morrison (Relating to the administration of primary elections, the nomination of candidates by convention, and voting by certain military and overseas voters.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code to require certain actions to be taken by the county chair, state chair, political parties, voter registrars, voters, and the Secretary of State related to: early voting requirements; certain filing and election deadlines, dates, and procedures; candidates who have filed for inclusion on an electoral ballot; the manner in which names are listed on a primary or primary runoff election ballot; making a notification of persons elected as party officers; the submission of county election returns; the reporting of precinct election results; and notations in runoff primary elections concerning the party status of a voter.

The bill would repeal Section 172.028(d) of the Election Code, related to providing a list of certified ballot names to certain newspapers and radio and television stations located in the state, and Section 50, Chapter 1318 (S.B. 100), 82nd Legislature, Regular Session, 2011, related to the ability of the Secretary of State to adjust or modify any affected date, deadline, or procedure related to the implementation of that Military and Overseas Voter Empowerment Act.

The Secretary of State indicates there would be a minimal cost associated with implementing the provisions of the bill.

This bill would take effect immediately if it receives a vote of two-thirds of each house; if not, it will take effect on September 1, 2013.

Local Government Impact

There may be some savings to counties associated with changing to an electronic posting and notification process; however, any fiscal impact is not anticipated to be significant.

Source Agencies: 307 Secretary of State

LBB Staff: UP, AG, EP, CK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 26, 2013

TO: Honorable Geanie Morrison, Chair, House Committee on Elections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3103 by Morrison (Relating to the administration of primary elections.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code to require certain actions to be taken by the county chair, state chair, political parties, voter registrars, and the Secretary of State related to: candidates who have filed for inclusion on an electoral ballot; the manner in which names are listed on a primary or primary runoff election ballot; making a notification of persons elected as party officers; the submission of county election returns; the reporting of precinct election results; and notations in runoff primary elections concerning the party status of a voter.

The bill would repeal Section 172.028(d) of the Election Code, related to providing a list of certified ballot names to certain newspapers and radio and television stations located in the state.

The Secretary of State indicates the provisions of the bill could be implemented within existing resources.

This bill would take effect immediately if it receives a vote of two-thirds of each house; if not, it will take effect on September 1, 2013.

Local Government Impact

There may be some savings to counties associated with changing to an electronic posting and notification process; however, any fiscal impact is not anticipated to be significant.

Source Agencies: 307 Secretary of State

LBB Staff: UP, KJo, CK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 22, 2013

TO: Honorable Geanie Morrison, Chair, House Committee on Elections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3103 by Morrison (Relating to the administration of primary elections.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code to require certain actions to be taken by the county chair, state chair, political parties, voter registrars, and the Secretary of State related to: candidates who have filed for inclusion on an electoral ballot; the manner in which names are listed on a primary or primary runoff election ballot; making a notification of persons elected as party officers; the submission of county election returns; the reporting of precinct election results; and notations in runoff primary elections concerning the party status of a voter.

The bill would repeal Sections 172.028(d) and 172.029(b) and (c) of the Election Code, related to providing a list of certified ballot names to certain newspapers and radio and television stations located in the state and related to lists of names prepared by county and state chairs for general primary elections.

The Secretary of State indicates the provisions of the bill could be implemented within existing resources.

This bill would take effect immediately if it receives a vote of two-thirds of each house; if not, it will take effect on September 1, 2013.

Local Government Impact

There may be some savings to counties associated with changing to an electronic posting and notification process; however, any fiscal impact is not anticipated to be significant.

Source Agencies: 307 Secretary of State

LBB Staff: UP, KJo, EP, CK, KKR