

BILL ANALYSIS

C.S.H.B. 621
By: Lozano
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested observers note that a county voter registrar currently may terminate a volunteer deputy registrar only under limited circumstances for a failure to perform a specific duty. These observers point out that as a consequence, workplace issues with volunteer deputy registrars who misrepresent their position in another manner cannot be dealt with internally. The observers contend that allowing a voter registrar to terminate a volunteer deputy registrar with greater discretion will result in greater efficiency in voter registration and a decrease in costs associated with voter registrar misdemeanor court fees. In response to these inefficiencies, C.S.H.B. 621 seeks to expand the circumstances under which a county voter registrar may terminate a volunteer deputy registrar.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 621 amends the Election Code to include as grounds under which a voter registrar may terminate the appointment of a volunteer deputy registrar a determination by the voter registrar that the volunteer deputy intentionally destroyed or physically altered a registration application or engaged in any other activity that conflicts with the responsibilities of a volunteer deputy registrar under applicable law.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 621 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 13.033(b), Election Code, is amended to read as follows:

(b) If a person is to be appointed, the registrar shall prepare a certificate of appointment in duplicate containing:

- (1) the date of appointment;
- (2) the statement: "I, _____, Voter Registrar for _____ County, do hereby appoint _____ as a volunteer deputy registrar for _____ County.";
- (3) the person's residence address;
- (4) the person's voter registration number, if any;
- (5) a statement that the term of the appointment expires December 31 of an even-numbered year; and
- (6) a statement that the appointment terminates on the person's final conviction for an offense for failure to deliver a registration application and may terminate on the registrar's determination that the person failed to adequately review a registration application

or engaged in any other activity that the registrar considers a violation of the responsibilities of a volunteer deputy registrar under this chapter.

SECTION 2. Section 13.036(b), Election Code, is amended to read as follows:

(b) The registrar may terminate the appointment of a volunteer deputy registrar on a determination by the registrar that the volunteer deputy:

- (1) failed to adequately review a registration application as required by Section 13.039; or

(2) engaged in any other activity that the registrar considers a violation of the responsibilities of a volunteer deputy registrar under this chapter.

SECTION 3. This Act takes effect September 1, 2015.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 13.033(b), Election Code, is amended to read as follows:

(b) If a person is to be appointed, the registrar shall prepare a certificate of appointment in duplicate containing:

- (1) the date of appointment;
- (2) the statement: "I, _____, Voter Registrar for _____ County, do hereby appoint _____ as a volunteer deputy registrar for _____ County.";
- (3) the person's residence address;
- (4) the person's voter registration number, if any;
- (5) a statement that the term of the appointment expires December 31 of an even-numbered year; and
- (6) a statement that the appointment terminates on the person's final conviction for an offense for failure to deliver a registration application and may terminate on the registrar's determination that the person failed to adequately review a registration application, intentionally destroyed or physically altered a registration application, or engaged in any other activity that conflicts with the responsibilities of a volunteer deputy registrar under this chapter.

SECTION 2. Section 13.036(b), Election Code, is amended to read as follows:

(b) The registrar may terminate the appointment of a volunteer deputy registrar on a determination by the registrar that the volunteer deputy:

- (1) failed to adequately review a registration application as required by Section 13.039;
- (2) intentionally destroyed or physically altered a registration application; or
- (3) engaged in any other activity that conflicts with the responsibilities of a volunteer deputy registrar under this chapter.

SECTION 3. Same as introduced version.