

BILL ANALYSIS

C.S.H.B. 1594
By: Bohac
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that election costs can be reduced if commissioners courts and county executive committees of political parties have more flexibility in combining county election precincts. C.S.H.B. 1594 seeks to provide for this flexibility by removing certain conditions and limitations on such an entity's ability to combine precincts.

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. 1594 amends the Election Code to remove from the authorization for a county commissioners court or county executive committee of a political party for a general election, special election, or primary election, as applicable, to combine certain county election precincts to avoid unreasonable expenditures for election equipment, supplies, and personnel the condition that changes in county election precinct boundaries giving effect to a redistricting plan result in county election precincts with a specified maximum number of registered voters. The bill instead makes such authorization for combining precincts applicable in a county with a population of less than 250,000 if the precinct has less than 500 registered voters and in a county with a population of 250,000 or more regardless of the number of registered voters in the precinct.

C.S.H.B. 1594 includes the following as a circumstance under which a combined precinct may not be established: the combined precinct contains a county election precinct with at least 500 registered voters but less than 750 registered voters, the location of the polling place for the combined precinct is different from the location used for the county election precinct in the preceding election ordered by the same authority, and the polling place used for the county election precinct in that preceding election is available to be used as a polling place and complies with certain accessibility requirements.

C.S.H.B. 1594 repeals Section 42.0051(b), Election Code.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

85R 26330

17.116.423

Substitute Document Number: 85R 25054

While C.S.H.B. 1594 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 42.0051(a), Election Code, is amended to read as follows:

(a) A [If changes in county election precinct boundaries to give effect to a redistricting plan result in county election precincts with a number of registered voters less than 500, a] commissioners court for a general or special election[;] or₁ for a primary election₂ the county executive committee of a political party conducting a primary election, may combine county election precincts notwithstanding Section 42.005 to avoid unreasonable expenditures for election equipment, supplies, and personnel in:

(1) a county with a population of less than 250,000 if the precinct has less than 500 registered voters; or

(2) a county with a population of 250,000 or more regardless of the number of registered voters in the precinct.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Sections 42.0051(a) and (d), Election Code, are amended to read as follows:

(a) A [If changes in county election precinct boundaries to give effect to a redistricting plan result in county election precincts with a number of registered voters less than 500, a] commissioners court for a general or special election[;] or₁ for a primary election₂ the county executive committee of a political party conducting a primary election, may combine county election precincts notwithstanding Section 42.005 to avoid unreasonable expenditures for election equipment, supplies, and personnel in:

(1) a county with a population of less than 250,000 if the precinct has less than 500 registered voters; or

(2) a county with a population of 250,000 or more regardless of the number of registered voters in the precinct.

(d) A combined precinct may not be established if it:

(1) results in a dilution of voting strength of a group covered by the federal Voting Rights Act (42 U.S.C. Section 1973c et seq.);

(2) results in a dilution of representation of a group covered by the Voting Rights Act in any political or electoral process or procedure; [ø]

(3) results in discouraging participation by a group covered by the Voting Rights Act in any political or electoral process or procedure because of the location of a polling place or other factors; or

(4) contains a county election precinct with at least 500 registered voters but less than 750 registered voters and:

(A) the location of the polling place for the combined precinct is different from the location used for the county election precinct in the preceding election ordered by the same authority; and

(B) the polling place used for the county election precinct in the preceding election ordered by the same authority:

(i) is available to be used as a polling place;
and
(ii) complies with the accessibility
requirements established by Sections 43.034
and 61.012.

SECTION 2. Section 42.0051(b), Election Code, is repealed.

SECTION 2. Same as introduced version.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SECTION 3. Same as introduced version.