

BILL ANALYSIS

C.S.H.B. 1707
By: Swanson
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that some voters in Texas encounter difficulties in identifying the polling place location of their political party of choice during a primary election, which creates inefficiencies in the voting process. C.S.H.B. 1707 seeks to address this issue by revising restrictions placed on the posting of certain signs at a polling place.

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 rulemaking authority is expressly granted to the secretary of state in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 1707 amends the Election Code to revise the requirements for a sign used to identify the location of a polling place by authorizing the presiding judge or alternate presiding judge for a precinct to post such signs at a polling place for a primary election or a primary runoff election and by expressly authorizing the signs to identify the names of or symbols representing any political parties holding an election at the polling place without reference to a candidate or measure on the ballot. The bill requires the secretary of state to adopt rules to provide that signs posted in the same county have a similar size and format.

C.S.H.B. 1707 repeals Section 172.127(a), Election Code, which limits the applicability of sign posting requirements to signs posted at a polling place used to hold an election for more than one political party.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1707 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 172.127(b), Election Code, is amended to read as follows:

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 172.127, Election Code, is amended by amending Subsection

(b) The presiding judge or alternate presiding judge for the precinct may post a ~~[A] sign at [used to indicate the location of]~~ a polling place for a primary election or a primary runoff election that ~~[must either]:~~
(1) identifies ~~[not contain]~~ the name of, or symbol representing, the ~~[any]~~ political party that is holding an election at the polling place; and ~~[or]~~
(2) does not refer to a candidate or measure on the ballot ~~[contain each name of, or each symbol representing, a political party that is holding an election at the polling place].~~

SECTION 2. Section 172.127(a), Election Code, is repealed.

SECTION 3. This Act takes effect September 1, 2017.

(b) and adding Subsection (c) to read as follows:

(b) The presiding judge or alternate presiding judge for the precinct may post ~~signs at~~ ~~[A sign used to indicate the location of]~~ a polling place for a primary election or a primary runoff election that ~~[must either]:~~
(1) identify ~~[not contain]~~ the names ~~[name]~~ of, or symbols ~~[symbol]~~ representing, any political parties ~~[party that is]~~ holding an election at the polling place; and ~~[or]~~
(2) do not refer to a candidate or measure on the ballot ~~[contain each name of, or each symbol representing, a political party that is holding an election at the polling place].~~
(c) The secretary of state shall adopt rules to provide that signs posted as authorized by Subsection (b) in the same county have a similar size and format.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.