

BILL ANALYSIS

C.S.H.B. 1893
By: Reynolds
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that it would be beneficial to require a county election officer to contract with the county executive committee of a political party holding a primary election in the county to perform election services because it would help to ensure that such elections are administered by trained professionals. C.S.H.B. 1893 seeks to address this issue by making such contracts mandatory on request of the party's county chair.

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. 1893 amends the Election Code to replace the authorization for the county election officer to contract with the county executive committee of a political party holding a primary election in the county to perform election services in the party's general primary election, runoff primary election, or both with a requirement that the county election officer, on request of the county chair of a political party holding a primary election in the county, contract with the party's county executive committee to perform election services in the party's general primary election and runoff primary election in accordance with a cost schedule agreed on by the contracting parties.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1893 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. Sections 31.092(b), (d), and (e), Election Code, are transferred to Section

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Sections 31.092(b), (d), and (e), Election Code, are transferred to

31.093, Election Code, redesignated as Sections 31.093(c), (d), and (e), Election Code, respectively, and amended to read as follows:

(c) ~~(b)~~ The county election officer shall ~~may~~ contract with the county executive committee of a political party holding a primary election in the county to perform election services, as provided by this subchapter, in the party's general primary election and and ~~or~~ runoff primary election in accordance with a cost schedule agreed on by the contracting parties~~[, or both]~~.

(d) In a contract required ~~authorized~~ by Subsection (c) ~~(b)~~, the county election officer may not prevent the county chair or the chair's designee from supervising the conduct of the primary election, including the tabulation of results, as required by Chapter 172.

(e) A ~~If a~~ county election officer ~~enters into a contract with a county executive committee under Subsection (b) to perform election services, the officer~~ must offer to contract on the same terms with the county executive committee of each political party holding a primary election in the county.

SECTION 2. Section 31.093(a), Election Code, is amended to read as follows:

(a) If requested to do so by a political subdivision ~~[or political party]~~, the county elections administrator shall enter into a contract to furnish the election services requested, in accordance with a cost schedule agreed on by the contracting parties.

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

Section 31.093, Election Code, redesignated as Sections 31.093(c), (d), and (e), Election Code, respectively, and amended to read as follows:

(c) ~~(b)~~ On request of the county chair of a political party holding a primary election in the county, the ~~The~~ county election officer shall ~~may~~ contract with the county executive committee of the ~~a political~~ party ~~[holding a primary election in the county]~~ to perform election services, as provided by this subchapter, in the party's general primary election and and ~~or~~ runoff primary election in accordance with a cost schedule agreed on by the contracting parties~~[, or both]~~.

(d) In a contract required ~~authorized~~ by Subsection (c) ~~(b)~~, the county election officer may not prevent the county chair or the chair's designee from supervising the conduct of the primary election, including the tabulation of results, as required by Chapter 172.

(e) A ~~If a~~ county election officer ~~enters into a contract with a county executive committee under Subsection (b) to perform election services, the officer~~ must offer to contract on the same terms with the county executive committee of each political party holding a primary election in the county.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.