

BILL ANALYSIS

C.S.H.B. 2837
By: Dean
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties believe that there may be instances in which the name of a deceased or otherwise ineligible individual remains on the voter roll despite the individual's ineligibility. C.S.H.B. 2837 seeks to encourage vigilance on the part of voter registrars by withholding certain payments from a voter registrar who does not cancel the registration of ineligible voters as required under certain law.

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. 2837 amends the Election Code to prohibit the secretary of state from making certain payments to a voter registrar if, on June 1 of the year in which the payment is to be made, the registrar is not in substantial compliance with statutory provisions relating to the cancellation of a voter's registration based on certain official notice of ineligibility.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2837 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 16.031, Election Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) A registrar commits an offense if the registrar fails to comply with Subsection (a)(2) or (b).

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

(d) An offense under this section is a Class C misdemeanor.

SECTION 2. The changes in law made by this Act apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

No equivalent provision.

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.

No equivalent provision.

SECTION 1. Section 19.002(d), Election Code, is amended to read as follows:

(d) The secretary of state may not make a payment under Subsection (b) if on June 1 of the year in which the payment is to be made the registrar is not in substantial compliance with Section 15.083, 16.031, 16.032, or 18.065 or with rules implementing the registration service program.

SECTION 2. This Act takes effect September 1, 2017.