

House Bill 88
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 2.002(d), Election Code, is amended to read as follows:

(d) The order of the candidates' names on the ballot shall be the relative order of names on the original ballot ~~[determined by a drawing in accordance with Section 52.094]~~.

No equivalent provision.

SECTION 2. Sections 52.094(a) and (c), Election Code, are amended to read as follows:

(a) Except as otherwise provided by law, for an election at which the names of more than one candidate for the same office are to appear on the ballot in an independent column or are to appear on a general or special election ballot that does not contain a party nominee, the order of the candidates' names shall be determined by a drawing. The order of the candidates' names on the ballot of any resulting runoff

SENATE VERSION (CS)

SECTION 1. Same as House version.

SECTION 2. Section 52.075, Election Code, is amended to read as follows:

Sec. 52.075. MODIFICATION OF BALLOT FORM FOR CERTAIN VOTING SYSTEMS. (a) The secretary of state may prescribe the form and content of a ballot for an election using a voting system, including an electronic voting system or a voting system that uses direct recording electronic voting machines or ballot marking devices, to conform to the formatting requirements of the system.

(b) In this section, "ballot marking device," "direct recording electronic voting machine," "electronic voting system," and "voting system" have the meanings assigned by Section 121.003.

SECTION 3. Same as House version.

CONFERENCE

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election or election held to resolve a tie vote shall be the relative order of names on the original election ballot.

(c) The authority conducting the drawing shall post in the authority's office a notice of the date, hour, and place of the drawing. The notice must remain posted continuously for 72 hours immediately preceding the scheduled time of the drawing [~~except that for a runoff election or an election held to resolve a tie vote, the notice must remain posted for 24 hours immediately preceding the scheduled time of the drawing~~].

No equivalent provision.

SECTION 3. This Act takes effect September 1, 2019.

SENATE VERSION (CS)

SECTION 4. Section 121.003, Election Code, is amended by adding Subdivision (13) to read as follows:

(13) "Ballot marking device" means a voting system with an electronic interface that allows a voter to mark a paper ballot.

SECTION 5. Same as House version.

CONFERENCE