

BILL ANALYSIS

H.B. 2860
By: Bucy
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that voters have limited information in advance of elections with respect to candidates or issues that will appear on the ballot, the date of the election, or locations to cast their ballots. Similarly, the results of an election associated with an independent school district or local government entity, especially a tax ratification election, are not readily accessible, which leads to a less informed citizenry. To best ensure an informed public, especially as it relates to taxes and tax levies imposed on the taxpayer by an independent school district or local government, H.B. 2860 seeks to require cities, counties, or independent school districts that maintain a website to post election information and results on the website.

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

H.B. 2860 amends the Election Code to require a county that holds or provides election services for an election and maintains a website to post, not later than the 21st day before election day, the following information on the county's public website for an election administered by the county:

- the date of the election;
- the location of each polling place;
- each candidate for an elected office on the ballot; and
- each measure on the ballot.

The bill requires a city or independent school district that holds an election and maintains a website to post such information, by the same deadline, on the public website for the city or district, as applicable.

H.B. 2860 requires such a county, city, or district to post the following information regarding election results on the entity's public website:

- the results of each election;
- the total number of votes cast;
- the total number of votes cast for each candidate or for or against each measure;
- the total number of votes cast by personal appearance on election day;
- the total number of votes cast by personal appearance or mail during the early voting period; and
- the total number of counted and uncounted provisional ballots cast.

The bill requires such information to be clearly labeled in plain language and provided as soon as practicable after the election. The bill sets out additional requirements for the information regarding the accessibility of current and previous election results on the applicable website.

EFFECTIVE DATE

September 1, 2021.