

BILL ANALYSIS

Senate Research Center
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C.S.S.J.R. 61
By: Campbell et al.
State Affairs
4/20/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

To maintain the integrity of amending mail-in ballot laws with checks and balances, the Election Protection Act prohibits the governor, local governments, and state agencies from making changes to mail-in ballot laws without the approval of the legislature. This Act seeks to safeguard Texans' right to engage in the legislative process and protects elections from last-minute changes to mail-in ballot laws.

(Original Author's / Sponsor's Statement of Intent)

C.S.S.J.R. 61 proposes a constitutional amendment prohibiting temporary suspension of absentee voting procedures.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2, Article VI, Texas Constitution, by adding Subsections (d), (e), and (f), as follows:

(d) Prohibits the qualifications for absentee voting and procedures for conducting absentee voting from being amended or suspended except by specific law passed by the Legislature.

(e) Provides that a law passed by the Legislature granting the governor general authority to suspend provisions of statute or rules of a state agency does not grant the governor authority to amend or suspend the qualifications for absentee voting or the procedures for conducting absentee voting unless the law expressly provides otherwise.

(f) Provides that a law passed by the Legislature granting a presiding officer of the governing body of a political subdivision general authority to declare a local state of disaster does not grant the presiding officer authority to amend or suspend the qualifications for absentee voting or the procedures for conducting absentee voting unless the law expressly provides otherwise.

SECTION 2. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 2, 2021. Sets forth the required language of the ballot.