

BILL ANALYSIS

Senate Research Center
88R21836 MLH-D

H.B. 371
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Local elections held on the uniform election date in May or November often result in runoff elections. Current law requires that a runoff election be held no earlier than the 20th day or later than the 45th day after the date the final canvass of the general election is completed. This lack of standardization can result in runoff elections being held on different dates in the same geographical area, causing confusion for voters and unnecessary costs or logistical issues for election administrators. For example, a school district may hold a runoff election on a date different than the date a municipal runoff election is held in the same jurisdiction.

H.B. 371 seeks to address this issue by standardizing the date of runoff elections for May and November general elections.

H.B. 371 amends current law relating to the date of runoff elections.

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 2.025, Election Code, by amending Subsection (a) and adding Subsection (e), as follows:

(a) Requires that a runoff election be held on a Saturday designated by the secretary of state (SOS), rather than not earlier than the 20th or later than the 45th day after the date the final canvass of the main election is completed, except as provided by Subsection (d) (relating to when a runoff election for a special election to fill a vacancy in Congress or in the legislature is authorized to be held, subject to certain exceptions) or as otherwise provided by this code.

(e) Provides that a date designated by SOS under Section 2.025 (Runoff Election Day) for a runoff election:

(1) is required to be:

(A) not earlier than the 30th day after the date of the main election; and

(B) not later than the 45th day after the date of the main election; and

(2) is prohibited from:

(A) being a national or state holiday under Section 1.006(f) (relating to the definition of "national holiday" and "state holiday" for the purposes of the Election Code); or

(B) having an early voting period that includes a national or state holiday under Section 1.006(f).

SECTION 2. Repealer: Section 2.025(b) (relating to providing that a runoff election date later than the period prescribed by Subsection (a) is authorized to be prescribed by a home-rule city charter), Election Code.

SECTION 3. Effective date: September 1, 2023.