

BILL ANALYSIS

C.S.H.B. 371
By: Bucy
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

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

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. 371 amends the Election Code to change the date of runoff elections from not earlier than the 20th or later than the 45th day after the date the final canvass of the main election is completed to a Saturday designated by the secretary of state. The designated Saturday must be not earlier than the 30th day after the date of the main election and not later than the 45th day after that election date. The bill prohibits the designated date from being a national or state holiday under applicable state law and from having an early voting period that includes such a national or state holiday. The bill repeals the authorization for a home-rule city charter to prescribe a runoff election date later than the prescribed period.

C.S.H.B. 371 repeals Section 2.025(b), Election Code.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 371 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced changed the date on which a runoff election is required to be held to the sixth Saturday after the date of the main election, the substitute changes that date instead to a Saturday designated by the secretary of state. The substitute includes the following provisions that were not present in the introduced:

- a requirement that the designated Saturday be not earlier than the 30th day after the main election date and not later than the 45th day after that election date; and
- a prohibition on the designated Saturday being on or having an early voting period that includes a national or state holiday.