

BILL ANALYSIS

C.S.H.B. 1003
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Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Our elections are sacred, and integrity in the election process is vital. Though a large number of jobs are not available to those convicted of a felony, a person with such a conviction can be a poll watcher in Texas. Under current law, a person is prohibited from serving as a poll watcher if they have been finally convicted of an offense in connection with conduct directly attributable to an election. C.S.H.B. 1003 seeks to expand this prohibition by making a person ineligible to serve as a poll watcher in an election if that person has been finally convicted of any felony.

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. 1003 amends the Election Code to make a person ineligible to serve as a poll watcher in an election if the person has been finally convicted of a felony offense or a misdemeanor offense in connection with conduct directly attributable to an election. The certificate of appointment issued to a poll watcher must contain an affidavit executed by the appointee stating that the appointee has not been finally convicted of a felony offense.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 1003 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.

The substitute makes a person convicted of a felony offense ineligible to serve as a poll watcher and specifies that a disqualifying conviction of an offense in connection with conduct directly attributable to an election is a misdemeanor offense, whereas the introduced only made a person convicted of a felony of the first or second degree ineligible to serve. Accordingly, with respect to the affidavit of the certificate of appointment issued to a poll watcher, the substitute does the following:

- does not require the affidavit to state that the appointee has not been finally convicted of a felony of the first or second degree or an offense in connection with conduct directly attributable to an election, as the introduced did; and
- requires the affidavit instead to state that the appointee has not been finally convicted of a felony offense.