

## **BILL ANALYSIS**

C.S.H.B. 1208  
By: Guillen  
Elections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Though current law allows a child to accompany their parent to the voting station, it remains ambiguous whether a child accompanying their parent to a voting station may mark a ballot under parent direction. Concerns have been raised regarding the potential for this ambiguity to cause a voting clerk to prevent a parent from allowing their child to mark a ballot under their direction, thus stripping the parent of the opportunity to teach their child about the important right and responsibility of voting. C.S.H.B. 1208 seeks to address these concerns by providing for a child under the age of 14 accompanying their parent to the voting station to read or mark the ballot under the direction of their parent.

### **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. 1208 amends the Election Code to authorize a child under 14 years of age accompanying the child's parent to a voting station to read or mark the ballot at the direction of the parent. These procedures do not constitute assisting a voter for purposes of state election law.

C.S.H.B. 1208 requires the secretary of state to develop voter education materials for parents on the procedures allowing a child under 14 years of age to read and mark the ballot while accompanying the child's parent to a voting station. The bill requires the secretary of state to make the materials available on the secretary's website and requires the county officer responsible for administering elections in a county to make the materials available on the county's website, if applicable.

### **EFFECTIVE DATE**

September 1, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

C.S.H.B. 1208 differs from the introduced only by including a Texas Legislative Council draft number in the footer.