

BILL ANALYSIS

C.S.H.B. 1217
By: Swanson
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Following the 2022 elections in Texas, activists, constituents, and local leaders raised concerns about the discrepancy in the early voting hours between rural and urban counties across the state and advocated for standardizing early voting hours statewide. Currently, Texas election law establishes different rules for the hours during which early voting is to be conducted in rural and urban counties. In many instances, this inconsistent system results in rural areas giving voters less time to vote than if they lived in a metropolitan area. Moreover, the degree to which the rules can vary from county to county creates a complex system that changes the voting experience depending on where a voter happens to live. C.S.H.B. 1217 seeks to standardize the hours for early voting across the state by making the hours for early voting uniform for both urban and rural counties.

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. 1217 amends the Election Code to revise provisions relating to the hours during which early voting by personal appearance is conducted. The bill does the following:

- repeals a provision that restricts the requirement that early voting by personal appearance at a temporary branch polling place be conducted on the days that voting must be conducted at the main early voting polling place to an election in which the territory served by the early voting clerk is situated in a county with a population of 100,000 or more;
- repeals a provision authorizing early voting at a temporary branch polling place to be conducted on any days and during any hours of the period for early voting by personal appearance in an election in which the territory served by the early voting clerk is situated in a county with a population under 100,000; and
- expands the applicability of the requirement for voting at the main early voting polling place to be conducted for at least 12 hours on each day of the last week of early voting by removing provisions limiting that applicability to a county with a population of 55,000 or more and requiring at least 15 registered voters in a county with a population under 55,000 to submit a request to the early voting clerk for early voting to be conducted during the extended hours.

C.S.H.B. 1217 authorizes state funds disbursed for financing voter registration to be used to defray the cost to the registrar's county of keeping the polling places in the county open during the early voting period, in addition to defraying other authorized expenses of the registrar's office in connection with voter registration.

C.S.H.B. 1217 applies only to an election for which early voting begins on or after the bill's effective date.

C.S.H.B. 1217 repeals Section 85.064(a) and Section 85.065 of the Election Code.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 1217 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 includes provisions that were not in the introduced authorizing state funds disbursed for financing voter registration to be used to defray the cost to the voter registrar's county of keeping the polling places in the county open during the early voting period.