

BILL ANALYSIS

H.B. 5131
By: Bell, Cecil
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, the secretary of state is required to conduct a biennial, random audit of elections held in four counties—two with populations of less than 300,000 and two with populations of 300,000 or more—during the previous two years. The vast majority of Texas counties have populations that place them within the lower population bracket, and it will take a very long time to audit every single county at the pace provided by the current requirement. H.B. 5131 seeks to address this issue by specifying the elections to be audited and providing for the secretary of state to conduct an additional audit within the two-year period.

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

H.B. 5131 amends the Election Code to specify that the elections subject to a randomized election audit conducted by the secretary of state are the elections held on the uniform election date. The bill authorizes the secretary of state, if the audits of two counties with a total population of less than 300,000 are completed before the end of a two-year period, to randomly select another county in that population bracket to be audited.

EFFECTIVE DATE

September 1, 2023.