

BILL ANALYSIS

S.B. 1750
By: Bettencourt
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Elections in Texas counties with large populations face several issues, such as limited oversight of election administrators, potential concentration of power in the hands of a few individuals, and the need for election officials to be more available and accountable to the voters. For example, in 2022, the unelected Harris County elections administrator resigned following delays in releasing vote counts and an announcement that her office failed to enter around 10,000 mail-in ballots into the election night count. She admitted in her resignation that "I didn't meet my own standard or the standard set by the commissioners court." S.B. 1750 seeks to resolve these issues by abolishing the position of county elections administrator in a county with a population of more than 3.5 million and transferring the administrator's powers and duties to the county tax assessor-collector and county clerk, which are elected positions.

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

S.B. 1750 amends the Election Code to abolish the position of county elections administrator in a county with a population of more than 3.5 million and transfer all powers and duties of the administrator to the county tax assessor-collector and county clerk on September 1, 2023. The bill requires the applicable county on that date to transfer employees, property, and records as necessary to accomplish the abolishment of the position of county elections administrator. The bill establishes that the county tax assessor-collector serves as the voter registrar and that the duties and functions of the county clerk that were performed by the administrator revert to the county clerk, unless the commissioners court by written order transfers the respective duties and functions to the other official as authorized under state law.

S.B. 1750 specifies that the authorization for a county commissioners court to create the position of county elections administrator by written order applies only to the commissioners court of a county with a population of 3.5 million or less.

EFFECTIVE DATE

September 1, 2023.