

BILL ANALYSIS

H.B. 2316
By: Gerdes
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that a miscalculation in the 2024 Caldwell County primary election numbers caused an erroneous belief that a runoff election was required. Current law authorizes election officials to distribute post-election reports with only raw vote counts included. The bill author has further informed the committee that by providing only the raw data, the offices of elected officials must tabulate percentages themselves, allowing for possible errors to occur. H.B. 2316 seeks to address this issue by providing for the inclusion of an official percentage of votes for each respective election result in certain election reports and tabulations.

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. 2316 amends the Election Code to require the inclusion of each candidate's percentage of the total number of votes received by all the candidates for each nomination or office, as applicable, in the following:

- the report of county election precinct results for a general election;
- the periodic reports and final report published by the secretary of state for a primary, runoff primary, or general election; and
- the unofficial tabulation of county election precinct results for a primary election.

The bill includes any resulting primary runoff election among the primary elections for which a county clerk is required to prepare a report of the number of votes, including early voting votes, received in each county election precinct by certain candidates and changes the nature of those candidates from each candidate for an office other than a party office to each candidate for nomination to a statewide or district office.

EFFECTIVE DATE

September 1, 2025.