

## **BILL ANALYSIS**

C.S.H.B. 4508  
By: Smithee  
Elections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

In 2023, the 88th Texas Legislature enacted legislation that required counties across the state to conduct early voting during uniform hours during the last week of the early voting period. The bill author has informed the committee that this legislation has created difficulties for smaller counties that have struggled with budgetary issues, increased workloads, and staffing shortages for elections. C.S.H.B. 4508 seeks to address these issues by revising the required early voting hours for counties with populations of less than 10,000.

### **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. 4508 amends the Election Code to restrict the applicability of the following requirements to a county with a population of 10,000 or more:

- the requirement for early voting in a primary election or the general election for state and county officers to be conducted at the main early voting polling place for at least 12 consecutive hours on each weekday of the last week of the early voting period; and
- the requirement for early voting in a special election ordered by the governor to be conducted at the main early voting polling place for at least 12 consecutive hours on each of the last two days of the early voting period .

The bill requires early voting in a primary election or the general election in a county with a population of less than 10,000 to be conducted at the main early voting polling place during the statutorily prescribed hours for early voting during the last week of the early voting period, but only on receipt of a written request submitted by at least 15 registered voters of the territory covered by the election.

C.S.H.B. 4508 restricts to the early voting clerk of a county with a population of 10,000 or more the requirement for an early voting clerk, in a primary election or the general election for state and county officers, to order early voting by personal appearance at the main early voting polling place to be conducted on the last Saturday of the early voting period for at least 12 consecutive hours and on the last Sunday of the early voting period for at least six consecutive hours. The bill requires the early voting clerk of a county with a population of less than 10,000, in a primary election or the general election for state and county officers, to order early voting by personal appearance at the main early voting polling place to be conducted on either the last Saturday or the last Sunday of the early voting period for at least 12 consecutive hours, except that voting

may not be conducted earlier than 9 a.m. or later than 10 p.m., provided that the county chair of each party that made nominations by primary election for the last general election for state and county officers must agree on the day for the early voting to be conducted.

C.S.H.B. 4508 conditions the authorization for an authority that may order early voting on a Saturday or Sunday to also order early voting to be conducted on a Saturday or Sunday at any one or more of the temporary branch polling places on the territory served by the authority being situated in a county with a population of 10,000 or more. The bill establishes that, for purposes of that authorization, if the territory served by the authority is situated in more than one county, the population of the territory served by the authority is determined using the combined populations of all counties in which the territory is situated.

C.S.H.B. 4508 applies only to an election for which early voting begins on or after the bill's effective date.

### **EFFECTIVE DATE**

September 1, 2025.

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

While C.S.H.B. 4508 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 omits the introduced version's provision that revised the authorization for state funds disbursed for financing voter registration to be used to defray the cost to an applicable registrar's county of keeping the polling places in the county open during the early voting period if the registrar's county has a population of less than 55,000 by changing the population of a county in which applicable state funds may be disbursed to defray such costs to an applicable registrar's county from less than 55,000 to less than 10,000.

The substitute includes a requirement absent from the introduced for early voting in a primary election or the general election in a county with a population of less than 10,000 to be conducted at the main early voting polling place during the statutorily prescribed hours for early voting during the last week of the early voting period, but only on receipt of a written request submitted by at least 15 registered voters of the territory covered by the election.

Whereas the introduced required an applicable early voting clerk to order early voting to be conducted in a primary election or the general election for state and county officers for the applicable duration on a single weekend day in a county with a population under 10,000 and required the day of extended voting hours to be agreed to by party chairs and posted publicly in compliance with applicable state law, the substitute does the following:

- requires the early voting clerk of a county with a population of less than 10,000 to order early voting in such elections by personal appearance at the main early voting polling place to be conducted on either the last Saturday or the last Sunday of the early voting period for at least 12 consecutive hours, except that voting may not be conducted earlier than 9 a.m. or later than 10 p.m.; and
- conditions that requirement on the county chair of each party that made nominations by primary election for the last general election for state and county officers agreeing on the day for the early voting to be conducted.

Whereas the introduced established that the authorization for an authority that may order early voting on a Saturday or Sunday to also order early voting to be conducted on Saturday or Sunday at any one or more of the temporary branch polling places applied only to an election in which

the territory served by the early voting clerk is situated in a county with a population of 10,000 or more and established that in an election in which the territory served by the clerk is situated in more than one county, that authorization applied if the sum of the populations of the counties is 10,000 or more, the substitute does the following:

- conditions that authorization on the territory served by the authority being situated in a county with a population of 10,000 or more; and
- establishes that, for purposes of that authorization, if the territory served by the authority is situated in more than one county, the population of the territory served by the authority is determined using the combined populations of all counties in which the territory is situated.