

BILL ANALYSIS

Senate Research Center

S.B. 985
By: Bettencourt; Paxton
State Affairs
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the 88th Legislative Session, the legislature passed S.B. 924. Unfortunately, due to an amendment added to the bill, unintended consequences have impacted elections throughout the state regarding combining election precincts.

S.B. 985 amends the Election Code to allow for county election precincts with fewer than 500 registered voters to be combined to avoid unreasonable expenditures for a general or special election or a primary election. This bill also allows for a county with a population of not less than 250,000 people to be combined as long as it results in county election precincts with more than 500 but less than 750 registered voters.

Lastly, S.B. 985 allows for a county with a population of less than 1.2 million that does not participate in countywide polling to combine precincts as long as the precinct does not contain more than 10,000 registered voters.

S.B. 985 amends current law relating to the combination of certain election precincts.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 42.0051, Election Code, as follows:

Sec. 42.0051. COMBINING CERTAIN PRECINCTS. (a) Authorizes a commissioners court for a general or special election, or for a primary election the county executive committee of a political party conducting a primary election, if changes in county election precinct boundaries to give effect to a redistricting plan result in county election precincts with fewer than 3,000 registered voters, to combine county election precincts notwithstanding Section 42.005 (Relationship to Districts and Justice and Commissioners Precincts) to avoid unreasonable expenditures for election equipment, supplies, and personnel. Deletes existing text providing that this section applies only to a county with a population of less than 1.2 million that does not participate in the countywide polling place program described by Section 43.007 (Countywide Polling Place Program).

(b) Provides that a combined precinct under Subsection (a) is subject to the maximum population prescribed for a precinct under Section 42.006 (Population Requirements).

(c) Redesignates existing Subsection (a-1) as Subsection (c). Authorizes the commissioner's court, in a county that does not participate in the countywide polling place program described by Section 43.007, for a general or special election for which use of county election precincts is required, on the recommendation of the county election board, or for a primary election for which use of county election precincts is required, the county executive committee of a political party conducting the primary election, to combine county election

precincts notwithstanding Section 42.005 if certain conditions are met. Makes a nonsubstantive change.

(d) Redesignates existing Subsection (c) as Subsection (d). Prohibits a combined precinct under Subsection (c), rather than under this section, from containing more than 10,000 registered voters.

(e) Redesignates existing Subsection (d) as Subsection (e) and makes no further changes.

(f) Provides that, for the purposes of appointing a presiding election judge and an alternate presiding judge to a county election precinct combined under this section, the combined precinct is required to be considered a single precinct and the judges are required to be appointed in accordance with the procedures provided under Chapter 32 (Election Judges and Clerks).

SECTION 2. Effective date: September 1, 2025.