

BILL ANALYSIS

H.B. 3369
By: Paul
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Reports that a county election administrator directed a sheriff's deputy to prevent a county political party chair from observing the tabulation of early voting results in a recent primary runoff election have raised concerns that such action is a violation of state law. Interested parties report that the chair in question filed a formal complaint with the secretary of state, who found that although there may have been a violation under the Election Code, no criminal violation may be considered to have occurred. The parties contend that the decision that no crime was committed was based on the finding that there is no punishment for such a violation. H.B. 3369 seeks to create such a penalty.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes 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. 3369 amends the Election Code to make it a Class B misdemeanor offense for a county election officer to prevent the county chair or the county chair's designee from supervising the conduct of the primary election, including the tabulation of results.

EFFECTIVE DATE

September 1, 2015.