

BILL ANALYSIS

H.B. 831
By: Huberty
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There have been calls to update the continuous residency requirement for a person to be eligible for public elective office in light of recent electoral campaigns. H.B. 831 seeks to provide for that update relating to a person's claim of the intent to return to a residence after a temporary absence.

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. 831 amends the Election Code to authorize a person who claims an intent to return to a residence after a temporary absence to establish that intent, for purposes of satisfying the continuous residency requirement that a person must meet to be eligible for public elective office, only if the person has made a reasonable and substantive attempt to effectuate that intent and has a legal right and the practical ability to return to the residence. The bill makes this provision inapplicable to a person displaced from the person's residence due to a declared local, state, or national disaster.

EFFECTIVE DATE

January 1, 2020.