

**SUBJECT:** Election processes and procedures requirements

**COMMITTEE:** Elections — committee substitute recommended

**VOTE:** 7 ayes — Danburg, Madden, Denny, Hill, J. Jones, Muñoz, Staples  
0 nays  
2 absent — Crabb, Ehrhardt

**WITNESSES:** For — None  
Against — None  
On — Ann McGeehan, Secretary of State's Office.

**DIGEST:** CSHB 2241 would amend various Election Code provisions on storage of voter registration information, recounts, presiding judges, poll watchers and other issues.

The bill would allow a voter registrar to store voter registration documents on an optical disk or other computer storage medium approved by the secretary of state's office. The documents would have to be reproducible.

A county election officer working under an election-services contract could charge a fee of up to 10 percent of the contract amount (up from 5 percent), and not less than \$75.

A presiding precinct election judge and an alternate judge would be required to be from separate political parties. A commissioner's court would be required to appoint a precinct presiding judge and an alternate judge respectively, based on the highest and second highest number of votes in the most recent gubernatorial general election.

Election judges and clerks would be allowed payment for performing required changes to list of registered voters and allowed to make required changes to list of registered voters at places other than the election day polling place.

A write-in candidate or a group of registered voters on behalf of a candidate would be allowed to appoint poll watchers. A write-in candidate

winner for county or precinct chair would be required to accept the position in writing within three days of receiving notice from the county executive committee.

The Secretary of State's Office would be required to pick three races and three propositions for election count verification. A manual count process would be required within 21 days of an election where an electronic voting system was utilized.

A candidate would be prohibited from filing a declaration of intent to seek two or more offices that are not allowed by law to be held by the same person and voted on the same day. Any declaration of intent filed after the first one would be considered invalid.

The bill would take effect on September 1, 1995.

**SUPPORTERS  
SAY:**

While the Election Code requires paper voter registration documents to be maintained and stored, but new technology, such as optical disks, should be encouraged to retain these documents as a safe and cost effective alternative.

All elections involve coordinating important tasks like printing, preparing supplies and forms, etc. The current charge of up to 5 percent under an election services contract for supervising an election is inadequate to cover state or county costs.

Under current law a commissioner's court is allowed to appoint precinct election judges and alternate judges as they choose. As a result, opposing political parties are not always represented. CSHB 2241 would require a commissioner's court to appoint the judges and alternate judges from different political parties.

By allowing the secretary of state select up to three races and three ballot propositions at random, a manual recount of electronic voting ballots would adhere to current law and allow for a check of accuracy in a more efficient and timely manner.

**OPPONENTS  
SAY:**

While advanced technology like optical disks can hold large amounts of information, disposing of the original could pose problems. For example, if a jury needed to inspect voter registration information, it is unclear whether information on an optical disk would suffice in court.

The secretary of state should be required to verify all races, not just up to three, when conducting a manual recount of electronic voting ballots.

**NOTES:**

The committee substitute incorporated provisions of HB 192, HB 193, HB 261, HB 2024, HB 2552 (all by Madden) and HB 542, HB 545 HB 1949 (all by Danburg).