

- SUBJECT:** Notification to county voter registrar of boundary change in the county
- COMMITTEE:** Elections — committee substitute recommended
- VOTE:** 7 ayes — Denny, Bohac, Anderson, Hughes, J. Jones, T. Smith,
0 nays
1 absent — Anchia
- SENATE VOTE:** On final passage, March 31 — 30-0, on Local and Uncontested Calendar
- WITNESSES:** No public hearing
- BACKGROUND:** Election Code, ch. 42, requires a commissioners court to deliver a certified copy of an order changing a county election precinct boundary to the voter registrar not later than the seventh day after the date the order is adopted. Beginning with the first week following the week in which an order changing a county election precinct boundary is adopted, the commissioners court must publish notice of the change in a newspaper in the county once a week for three consecutive weeks. If no newspaper is published in the county, the commissioners court must post the notice at the county courthouse on the bulletin board used for posting notice of meetings of the commissioners court. The notice must remain posted continuously for three weeks.
- The Election Code does not include notice requirements for boundary changes by a political subdivision other than a county. This would include boundaries affecting elections for a city, a water district, a school board district, or a community college district.
- DIGEST:** CSSB 427 would add a provision to the Election Code to require a political subdivision that changed its boundaries or the boundaries of districts used to elect members to its governing body to:
- notify the county voter registrar of the adopted change; and
 - provide the registrar with a map of the adopted boundary change in a format that was compatible with that used by the registrar's office.

The notice and maps would be required not later than the 30th day after the date the change was adopted.

The bill would take effect September 1, 2005.

**SUPPORTERS
SAY:**

CSSB 427 would require a political subdivision that changed its boundaries or the boundaries of districts used to elect members to its governing body, not later than the 30th day after the change was adopted, to provide the county voter registrar with both notice and maps of the changes. Current law does not require a city, a water district, a school district, a junior college district, or any other political subdivision other than a county to notify the voter registrar of any boundary changes. This presents a problem when a county voter registrar discovers immediately before an election that jurisdictional boundary changes have been made, opening the door to a potential legal challenge if voting precincts also have to be changed. Under such circumstances, the county does not have enough time to conduct appropriate hearings, submit required documents to the commissioners court and to the U.S. Department of Justice for pre-clearance under the federal Voting Rights Act, and establish new polling places.

The bill would require the governing body of any political subdivision to notify the voter registrar of boundary changes, including changes to single-member districts or annexations and to provide the voter registrar with a map of the adopted boundary changes in a format compatible with the mapping format used by the registrar. The 30-day time period for supplying notice and maps should be adequate to meet the mapping requirements.

**OPPONENTS
SAY:**

No apparent opposition.

NOTES:

The committee substitute differs from the Senate engrossed version by changing the deadline for providing both notice and a map of adopted boundary changes to not later than the 30th day after the change was adopted, rather than the 10th day.