

BILL ANALYSIS

Senate Research Center
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S.B. 35
By: Shapiro
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DIGEST

Currently, Texas law has four uniform election dates. The Election Code exempts certain entities from holding their elections on the designated dates, which then establishes the need for more elections to be held each year. This bill would eliminate several exemptions for certain elections, and establish the ability to consolidate polling locations through joint elections.

PURPOSE

As proposed, S.B. 35 establishes provisions regarding certain processes and procedures promoting the consolidation of elections.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 41.001, Election Code, to delete text regarding certain elections. Makes conforming and nonsubstantive changes.

SECTION 2. Amends Section 42.002, Election Code, to make a conforming change.

SECTION 3. Amends Chapter 42C, Election Code, by adding Section 42.0621, as follows:

Sec. 42.0621. PRECINCTS FOR JOINT ELECTION. Requires participating political subdivisions to use the regular county election precincts in a joint election. Authorizes consolidation of two or more precincts if the polling place is located so it will serve voters from the consolidated precincts. Sets forth requirements for political subdivisions participating in a joint election.

SECTION 4. Amends Chapter 43A, Election Code, by adding Section 43.0051, as follows:

Sec. 43.0051. DESIGNATION OF LOCATION: JOINT ELECTION. Requires the authorities establishing joint election precincts to designate the regular county polling place as the joint election polling place except under certain circumstances. Requires the authorities to designate polling places for each precinct, if county election precincts are consolidated for joint elections. Requires each political subdivision participating in the election to designate polling places in the territory of that political subdivision. Authorizes common polling places to be designated under certain conditions.

SECTION 5. Amends Sections 271.002 and 271.006, Election Code, as follows:

Sec. 271.002. New heading: JOINT ELECTIONS REQUIRED. Requires consolidation of elections held on the same day in all or part of the same territory. Deletes text regarding joint elections involving two or more political subdivisions. Provides that the terms of the joint election agreement, including all decisions necessary for conducting the election, to be stated in an official action. Requires each political subdivision to appoint a representative to an election committee to implement the joint election agreement. Makes conforming and nonsubstantive changes.

Sec. 271.006. EARLY VOTING. Deletes text regarding early voting in a joint election.

SECTION 6. Repealer: Section 271.003, Election Code (Location of Common Polling Place) and Section 271.014, Election Code (Conflicts With Other Laws.)

SECTION 7. Makes application of the Act prospective.

SECTION 8. Effective date: September 1, 1999.

SECTION 9. Emergency clause.