

BILL ANALYSIS

Senate Research Center
86R409 GRM-F

H.B. 1888
By: Bonnen, Greg et al. (Huffman)
State Affairs
5/16/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been suggested that while the flexibility for election authorities to place and move polling stations during an early voting period was designed to accommodate more voters closer to their homes or workplaces, concerns have been raised about the possibility that some authorities accommodate certain voting populations to the exclusion of others. H.B. 1888 seeks to address this issue by revising the temporary branch polling place hours of operation.

H.B. 1888 amends current law relating to temporary branch polling place hours of operation.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 42.0621, Election Code, to read as follows:

Sec. 42.0621. PRECINCTS FOR ELECTIONS HELD ON NOVEMBER UNIFORM ELECTION DATE.

SECTION 2. Amends Section 42.0621(a), Election Code, to require the political subdivisions to which Section 42.002(a)(5) (relating to requiring use of county precincts for certain elections held by a political subdivision on a uniform election date) applies, in an election held on the November uniform election date, rather than a uniform election date, to use the regular county election precincts.

SECTION 3. Amends Section 85.062(e), Election Code, as follows:

(e) Authorizes a temporary branch polling place that is located in a movable structure, in an election covered by Subsection (d) (relating to temporary branch polling places for a primary election, the general election for state and county officers, or a special election to fill a vacancy in the legislature or in congress), to be established only with the approval of the county clerk. Makes conforming and nonsubstantive changes.

SECTION 4. Amends the heading to Section 85.064, Election Code, to read as follows:

Sec. 85.064. DAYS AND HOURS FOR VOTING: TEMPORARY BRANCH.

SECTION 5. Amends Section 85.064(b), Election Code, as follows:

(b) Requires early voting by personal appearance at each temporary branch polling place, rather than each temporary branch polling place established under Section 85.062(d), to be conducted on the days that voting is required to be conducted at the main early voting polling place under Section 85.005 and remain open for at least:

(1) eight hours each day; or

(2) three hours each day if the city or county clerk does not serve as the early voting clerk for the territory holding the election and the territory has fewer than 1,000 registered voters. Deletes existing text relating to an authority establishing the temporary branch polling place and determining hours.

SECTION 6. Amends Section 85.068(a), Election Code, to delete existing text relating to notice for an election stating any dates and the hours that voting on Saturday or Sunday will be conducted under Section 85.065(b) (relating to authorizing voting at a temporary branch polling place to be conducted on certain days and hours, as determined by the authority establishing the branch).

SECTION 7. Repealer: Section 42.002(c) (relating to an exception to use of county precincts for uniform election dates for certain elections in May held by certain political subdivisions), Election Code.

Repealer: Section 85.064(a) (relating to days and hours for voting for temporary branches in certain populous counties), Election Code.

Repealer: Section 85.064(c) (relating to conducting early voting by personal appearance at certain temporary branch polling places on certain days and hours), Election Code.

Repealer: Section 85.065 (Days and Hours For Voting: Temporary Branch in Less Populous County), Election Code.

SECTION 8. Effective date: September 1, 2019.