

BILL ANALYSIS

Senate Research Center
86R34740 ADM-F

C.S.H.B. 2628
By: Vo (Hughes)
State Affairs
5/18/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.H.B. 2628 amends current law relating to the manner of reporting and maintaining certain information relating to candidates and election returns.

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 Sections 67.007(a), (c), and (d), Election Code, as follows:

(a) Requires the county clerk of each county in the territory covered by the election, for each election for a statewide, district, county, or precinct office, a statewide measure, or president and vice-president of the United States, to prepare county election returns, rather than requiring the county clerk of each county in the territory covered by the election, for each or district office, a statewide measure, or president and vice-president of the United States to prepare county election returns.

(c) Requires the county clerk to certify the county returns, rather than requiring the county clerk to sign the county returns to certify their accuracy.

(d) Requires the county clerk, not later than 24 hours after completion of the local canvass, to deliver to the secretary of state (SOS), in the manner directed by the SOS, the county returns, rather than requiring the county clerk, not later than 24 hours after completion of the local canvass, to deliver to the SOS, in the manner directed by the secretary, the county returns in a sealed envelope. Deletes existing text requiring the envelope to be labeled: "Election Returns for _____ (name) County, for _____ (election)."

SECTION 2. Amends Sections 67.008(b) and (c), Election Code, as follows:

(b) Requires the returns to be delivered to the SOS as provided by Section 67.007 (County Election Returns), rather than requiring the returns to be delivered to the SOS as provided by Section 67.007, except that the envelope is required to be labeled: "Returns of Election for Governor/Lieutenant Governor, _____ (name) County, for _____ (election)."

(c) Requires SOS to retain the returns, rather than retain the returns in their sealed condition, until the first day of the next regular legislative session, when the SOS shall deliver the returns to the speaker of the house of representatives.

SECTION 3. Amends Section 67.009(b), Election Code, as follows:

(b) Requires the SOS, with the delivery of the official county returns forms, to deliver written instructions on the preparation and delivery of the county election returns. Deletes

existing text requiring SOS, with the delivery of the official county returns forms, to deliver the officially prescribed envelopes for delivering the returns to the secretary.

SECTION 4. Amends Section 181.032, Election Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Requires the authority with whom an application is filed, not later than the 10th day after the date of the filing deadline prescribed by Section 181.033 (Filing Deadline), to deliver to SOS a list containing certain information, including any additional information required by SOS.

(c) Requires a list delivered under Subsection (b) to be in a format prescribed by SOS.

SECTION 5. Amends Section 181.068(a), Election Code, as follows:

(a) Requires the presiding officer of each convention held under this chapter (Party With State Organization) to certify, in a format prescribed by SOS, for placement on the general election ballot the name and address of each candidate nominated by the convention, rather than requiring the presiding officer of each convention held under this chapter to certify in writing for placement on the general election ballot the name and address of each candidate nominated by the convention.

SECTION 6. Effective date: September 1, 2019.