

BILL ANALYSIS

Senate Research Center
86R7445 GRM-F

S.B. 893
By: Menéndez
Intergovernmental Relations
3/29/2019
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Election Code currently requires that the Secretary of State (SOS) and comptroller of public accounts of the State of Texas (comptroller) be recipients of certain copies of orders related to the administration of elections. The comptroller is not directed by statute to do anything with these notices nor are these orders required to be retained. Moreover, staff utilizes other available resources to contact the local officials, making the receipt of these notices unnecessary.

This bill amends sections 12 and 31 of the Election Code to remove the requirement that the comptroller receive certified copies of an order while retaining the requirement for the SOS. Removal of this administration burden would save local government entities time and money.

As proposed, S.B. 893 amends current law relating to the requirement that the comptroller of public accounts receive copies of orders adopted in connection with the administration of elections.

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 section 12.032(b), Election Code, to require the county clerk to deliver a certified copy of the order [designating the county clerk as the voter registrar of the county] to the secretary of state (SOS), rather than to SOS and the comptroller of public accounts of the State of Texas (comptroller), not later than the third day after the date the order is adopted.

SECTION 2. Amends Section 12.034(b), Election Code, to require the county clerk, not later than the third day after the date the order [rescinding the designation of the county clerk as the voter registrar of the country] is adopted, to deliver a certified copy of the order to SOS, rather than SOS and the comptroller.

SECTION 3. Amends Section 31.031(d), Election Code, to require the county clerk, not later than the third day after the date the order [creating the position of county elections administrator] is adopted, to deliver a certified copy of the order to SOS and each member of the county election commission, rather than to SOS, each member of the county election commission, and the comptroller.

SECTION 4. Amends Section 31.048(c), Election Code, to require the county clerk, not later than the third day after the date an order abolishing the position of administrator is adopted, to deliver a certified copy of the order to SOS, rather than to SOS and the comptroller.

SECTION 5. Amends Section 31.071(c), Election Code, to require the county clerk, not later than the third day after the date the order [transferring the duties of the county clerk to the county assessor-collector] is adopted to deliver a certified copy of the order to SOS, rather than to SOS and the comptroller.

SECTION 6. Amends Section 31.076(b), Election Code, to require the county clerk, not later

than the third day after the date the order [rescinding the transfer of the duties of the county clerk to the county assessor-collector] is adopted, to deliver a certified copy of the order to SOS, rather than to SOS and the comptroller.

SECTION 7. Amends Section 31.152(h), Election Code, to require the chair of the joint elections commission, not later than the third day after the date the order [creating the position of joint elections administrator] is adopted, to deliver a certified copy of the order to SOS, each member of the county election commission, if any, and a representative from each participating entity, rather than SOS, each member of the county election commission if any, a representative from each participating entity, and the comptroller.

SECTION 8. Amends Section 31.170(c), Election Code, to require the county clerk of the most populous participating county, not later than the third day after the date an order abolishing the position of joint elections administrator is adopted, to deliver a certified copy of the order to SOS, rather than to SOS and the comptroller.

SECTION 9. Makes application of this Act prospective.

SECTION 10. Effective date: September 1, 2019.