

BILL ANALYSIS

Senate Research Center
87R16121 MLH-D

H.B. 1622
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Many early voting clerks fail to post early voting turnouts on time despite the requirement to do so in a timely manner, which significantly inhibits the ability to track accurate votes and see where problems may arise. These failures, even though they are often not significant enough to result in criminal charges, still undermine the integrity of elections because there are no existing ramifications for a failure to comply with the requirements. H.B. 1622 seeks to ensure early voting clerks are compliant with requirements regarding the maintenance and availability of early voting rosters by creating a formal complaint process for early voting clerks who fail to adhere to those requirements.

H.B. 1622 amends current law relating to reporting of early voting rosters.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the secretary of state of Texas in SECTION 1 (Section 87.121, Election Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Reenacts Section 87.121, Election Code, as amended by Chapters 1083 (H.B. 1850) and 1215 (S.B. 902), Acts of the 86th Legislature, Regular Session, 2019, and amends it, as follows:

Sec. 87.121. EARLY VOTING ROSTERS. (a) - (i) Makes no changes to these subsections.

(j) Creates this subsection from existing text.

(k) Requires the secretary of state of Texas (SOS) to post the information described by Subsection (j) (relating to certain information regarding early voting rosters) on SOS's Internet website in a downloadable format. Deletes existing text requiring SOS to make any early voting roster created under this section available to the public on the secretary's Internet website.

(l) Makes nonsubstantive changes to this subsection.

(m) Authorizes a person registered to vote in the county where the early voting clerk is conducting early voting to submit a complaint to SOS stating that an early voting clerk has not complied with this section.

(n) Requires SOS by rule to create and maintain a system for receiving and recording complaints made under this section.

(o) Requires SOS to maintain a record indicating early voting clerks who have failed to comply with the requirements of this section.

SECTION 2. Provides that to the extent of any conflict, this Act prevails over another Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 3. Effective date: September 1, 2021.