

BILL ANALYSIS

Senate Research Center
87R13998 TSS-D

S.B. 1822
By: Huffman
Jurisprudence
3/25/2021
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The United States Census Bureau has delayed delivery of the 2020 redistricting data. The bureau's most recent projection states that the data will be delivered to Texas by September 30, 2021, after the end of the Texas Legislature's 87th Regular Session. S.B. 1822 gives the legislature an opportunity to carry out its redistricting duty using census data by adjusting the timeline for the 2022 election cycle to allow additional time for legislative action.

The bill does this by allowing the secretary of state (SOS) to postpone the date of the 2022 general primary election if a legislative redistricting plan is not in effect on or before November 1, 2021. If SOS postpones the 2022 general primary election date under the bill, they shall adjust the runoff election date, candidate-filing deadline, and schedule for canvassing election returns and declaring results to accommodate the postponement, and may adjust other dates and deadlines as necessary for the 2022 election cycle.

As proposed, S.B. 1822 amends current law relating to the postponement of certain dates relating to elections to be held in 2022.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the secretary of state in SECTION 1 (Section 41.0075, Election Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 41, Election Code, by adding Section 41.0075, as follows:

Sec. 41.0075. AUTHORITY OF THE SECRETARY OF STATE IN SPECIAL CIRCUMSTANCE. (a) Authorizes the secretary of state (SOS), notwithstanding any other provision of law, to postpone the date of the general primary election to be held in 2022 if a redistricting plan adopted by the legislature or the Legislative Redistricting Board under Section 28, Article III, Texas Constitution, is not in effect on or before November 1, 2021.

(b) Requires SOS, if the general primary election date is postponed under this section, to adjust the date for a runoff election, the deadline for filing for candidacy, and the schedule for canvassing election returns, declaring results, or performing any other official act relating to the election to allow the same interval of time in relation to the date of the election as would be provided by application of other law.

(c) Authorizes SOS, notwithstanding any other provision of law, to, by rule, postpone any deadline related to the 2022 general election for state and county officers as necessary to accommodate any postponement made under this section.

(d) Provides that this section expires January 1, 2023.

SECTION 2. Effective date: upon passage or September 1, 2021.