

SUBJECT: Requiring notice of change of polling place location to be posted

COMMITTEE: Elections — committee substitute recommended

VOTE: 8 ayes — Danburg, J. Jones, Denny, Gallego, Hodge, Madden, Sadler, Wilson
0 nays
1 absent — Truitt

WITNESSES: For — *Registered but did not testify:* Dana DeBeauvoir, County Clerks Legislative Committee
Against — None
On — Elizabeth Hanshaw, Secretary of State

BACKGROUND: Elections Code, ch. 43 outlines provisions relating to the number of required polling places in each precinct. Chapter 4 governs the method of giving notice of an election. There currently is no required procedure for giving notice of when a polling place location has changed.

DIGEST: CSHB 563 would add subchapter C to Elections Code, ch. 43 to require that a notice of change of location of a polling place be posted. If the location of a polling place changed after the initial notice of an election had been given, the county clerk would have to give notice of the change no later than the earlier of:

- ! 24 hours after the location changed; or
- ! 24 hours before the polls opened on election day.

Each candidate whose name was on the ballot would have to be notified, or notice would have to be posted in a listing used specifically to inform the public of changes to polling place locations or on an Internet website that the county clerk maintained to provide election information.

If the location of the polling place were different from the polling place used during the preceding election, the bill would require the authority responsible for giving notice of the election to, if possible, post notice at the entrance to the previous polling place stating that the polling location had changed and giving the correct polling place location for the voters in the precinct.

Elections officers would have to provide detailed poll location information to voters to assist them in determining the correct polling place if the information were available at a polling place through the use of a computer.

If a polling place were left unattended at any time after the preparations for voting began, the presiding judge would have to provide for the security of the polling place. This provision would not affect current security requirement provisions for a polling place once it was open.

The provisions of this bill only would apply to a general election or special election ordered by the governor or the county judge.

The bill would take effect September 1, 2001.

**SUPPORTERS
SAY:**

A steady decrease in the percentage of registered voters casting votes has been attributed, in part, to a lack of trust of government and cynicism about the election process. For voters who take their right to vote seriously, polling place accessibility undeniably is the first step toward exercising their right to vote. In high growth areas, polling locations can change repeatedly from one election to the next.

CSHB 563 would ensure that voters and candidates have up-to-date information about the correct locations of polling places and that any election worker at any polling place would have to assist voters in locating their correct polling place. It also would supplement current polling place security requirements to ensure that if voting preparations at the polling place begin the night before an election, that the presiding judge would have to make security arrangements for the polling place during the evening.

**OPPONENTS
SAY:**

No apparent opposition.

NOTES: The committee substitute set forth notice requirements that would apply to a county clerk for a change in the location of a polling place for a general or special election ordered by the governor or county judge.

The 76th Legislature considered an almost identical bill, HB 306 by Madden, which would require posting notice of a change in polling places. HB 306 passed the House on the Local, Consent, and Resolutions Calendar, but died in the Senate during the last days of the session.