

BILL ANALYSIS

Senate Research Center

H.B. 32
By: Greenberg (Nelson)
State Affairs
5-8-97
Committee Report (Amended)

DIGEST

Currently, primary elections are held in March in Texas. There are concerns that March primaries do not allow voters enough time to focus on state races. This bill would amend the election cycle by changing the primary election to the first Saturday in May for both gubernatorial and presidential election years. This bill also substitutes the fourth Saturday in March as a general or special election date instead of the first Saturday in May.

PURPOSE

As proposed, H.B. 32 amends certain dates for primary election and other related dates, deadlines, and procedures.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 41.001(a), Election Code, to require each general or special election in this state to be held on the fourth Saturday in March, rather than the first Saturday in May, among other dates.

SECTION 2. Amends Section 41.0052(a), Election Code, to authorize a county, not later than December 31, 1997, rather than 1993, to change the date on which it holds its general election for officers to another authorized uniform election date. Prohibits an election on the new date from being held before 1998, rather than 1994.

SECTION 3. Amends Sections 41.007(a)-(c), Election Code, to provide that the general primary election date is the first Saturday in May, rather than the second Tuesday in March, in each even-numbered year. Provides that the runoff primary election date is the first Saturday in June, rather than the second Tuesday in April, following the general primary election. Provides that the presidential primary election date is the first Saturday in May, rather than the second Tuesday in March, in each presidential election year.

SECTION 4. Amends Section 43.033(a), Election Code, to add a provision prohibiting a rental charge from being made for the use of a public building used for a polling place.

SECTION 5. Amends Section 172.052(a), Election Code, to prohibit a candidate for nomination from withdrawing from the general primary election after the 64th day, rather than the 62nd day, before general primary election day.

SECTION 6. Amends Section 172.054(a), Election Code, to make conforming and nonsubstantive changes.

SECTION 7. Amends Section 172.055, Election Code, by adding Subsection (e), to provide that Section 1.006 does not apply to this section.

SECTION 8. Amends Section 172.057, Election Code, to make a conforming change.

SECTION 9. Amends Section 172.058(a), Election Code, to make a conforming change.

SECTION 10. Amends Section 172.116(b), Election Code, to require the county executive committee to convene to conduct the local canvass at the county seat not earlier than 6 p.m. on the first Monday, rather than Thursday, or later than 1 p.m. on the first Tuesday, rather than Friday, after election day at the hour specified by the county chair, rather than chairman.

SECTION 11. Amends Section 172.120(b), Election Code, to require the state executive committee to convene to conduct the state canvass for the general primary election on the second Monday, rather than Wednesday, after the general primary election day.

SECTION 12. Amends Section 174.063(a), Election Code, to require the county and senatorial district conventions to be held on the second, rather than third, Saturday after the general primary election day. Deletes a provision relating to dates that conflict with Passover or Good Friday.

SECTION 13. Amends Section 181.0041, Election Code, to require certain political parties to register with the secretary of state, not later than the regular filing deadline for candidates in the general primary election, rather than January 2 of the election year.

SECTION 14. Amends Section 181.003(a), Election Code, to make a conforming change.

SECTION 15. Amends Sections 181.061(b) and (c), to require a party nominating by convention to make its nomination for offices of districts situated in more than one county at district conventions held on the second Saturday after general primary election day, rather than the second Tuesday in March. Makes conforming changes.

SECTION 16. Amends Section 182.005, Election Code, to makes conforming changes.

SECTION 17. Amends Section 192.032(c), Election Code, to require the application to be filed with the secretary of state not later than the second Monday in July, rather than May, of the presidential year.

SECTION 18. Amends Section 202.004(a), Election Code, to make a conforming change.

SECTION 19. Amends Section 202.006(a), Election Code, to make a conforming change.

SECTION 20. Amends Section 204.003, Election Code, to make a conforming change.

SECTION 21. Amends Section 204.005, Election Code, to make a conforming change.

SECTION 22. Provides the the term of a person who is serving as a county or precinct chairman of a political party on the effective date of this Act ends on the 20th day after the first Saturday in June 1998.

SECTION 23. Effective date: September 1, 1997.

SECTION 24. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Amendment 1.

(1) In SECTION 3 of this bill:

- (A) Page 2, line 2, strike "second Saturday" and replace with "first Saturday."
- (B) Page 2, line 4, makes a conforming change.
- (C) Page 2, lines 7 and 8, makes a conforming change.
- (2) Page 2, lines 24 and 25, strike "last Monday" and replace with "second Monday."
- (3) Page 5, line 5, strike "first" and replace with "second."
- (4) Page 8, line 15, strike "second Saturday" and replace with "first Saturday."

Amendment 2.

Page 2, lines 21-26, strike SECTION 5 of the bill and renumber the remaining sections as appropriate.