

BILL ANALYSIS

Senate Research Center

S.B. 1611
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State Affairs
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As Filed

DIGEST AND PURPOSE

Currently, there are some ambiguities relating to home-rule city filing deadlines, deadline extensions, and the time of the local canvass and counting of late overseas early voting mail ballots in certain elections. As proposed, S.B. 1611 clarifies these issues relating to the determination of certain dates, deadlines, and procedures under the Election Code.

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 1.006, Election Code, to create Subsection (a) from existing text and add Subsection (b) to provide that if the last day for performance of an act is extended under Subsection (a), the extended date is used to determine any other dates and deadlines, and the dates or times of any related procedures, that are expressly required to be made on a date or at a time determined in relation to the last day for performance of the act.

SECTION 2. Amends Section 67.003, Election Code, to create Subdivision (1)(A) from existing text, and add Subdivision (1)(B) relating to an election of a political subdivision that is held jointly with the general election for state and county officers. Makes a conforming change.

SECTION 3. Amends Section 86.007(d), Election Code, to create Subdivision (3)(A)(i) from existing text, and add Subdivision (3)(A)(ii) to make a conforming change. Makes a conforming change in Subdivision (B).

SECTION 4. Amends Section 87.125(a), Election Code, to require the early voting ballot board to convene to count ballots voted by mail described by Section 86.007(d) at the time set by the presiding judge of the board on a certain date.

SECTION 5. Amends Section 143.005(a), Election Code, to authorize a city charter to prescribe requirements in connection with a candidate's application for a place on the ballot for an office of a home-rule city. Provides that this section does not authorize a city charter requirement in connection with the timely filing of an application, and any charter requirement related to an application's timely filing is superseded by Section 143.007 and other applicable filing provisions prescribed by this code.

SECTION 6. Provides that this Act takes effect September 1, 2003, except that Sections 1 and 5 of this Act take effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. Provides that if this Act does not receive the vote necessary for immediate effect, Sections 1 and 5 take effect September 1, 2003.