

BILL ANALYSIS

Senate Research Center
78R1637 JRJ-F

S.B. 197
By: Staples
State Affairs
2/26/2003
As Filed

DIGEST AND PURPOSE

Under current law, there is no restriction on when a voter may file a challenge to another voter's registration based on residency. If a voter relies on mail-forwarding services in order to receive mail after moving or when out of town, or is voting by absentee ballot, then it will take an additional amount of time for the voter to respond to a voter registration challenge. If a voter is challenged close to an election, that voter may not have sufficient time to receive and respond to the challenge, and as a result, his or her vote may not be counted. As proposed, S.B. 197 prohibits a voter from challenging another voter's registration beyond 75 days before an election, but does not eliminate an individual's opportunity to challenge the outcome of an election after the election if irregularities are discovered in voter registrations after the 75-day deadline.

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 16.0921, Election Code, by amending Subsection (a) and adding Subsection (c), as follows:

- (a) Requires the registrar to promptly deliver to the voter whose registration is challenged a confirmation notice in accordance with Section 15.051 on the filing of a sworn statement under Section 16.092 alleging a ground based on residence, except as provided by Subsection (c).
- (c) Prohibits the registrar from delivering a confirmation notice resulting from a sworn statement filed after the 75th day before the date of an election until after the date of election.

SECTION 2. Effective date: September 1, 2003.
Makes application of this Act prospective.