

BILL ANALYSIS

Senate Research Center
80R48 ATP-D

S.B. 134
By: Wentworth
State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law requires voting instruction posters at polling places to include instructions on casting a party-line vote. Law also prohibits the use of a voting system that is not capable of permitting straight-party voting. The law does not require voters to view the name of each candidate before casting a party-line vote.

As proposed, S.B. 134 requires voters to read the names of each candidate individually before voting in a general election.

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 62.011(c), Election Code, as follows:

(c) Deletes the requirement for a voting instruction poster to include instructions on casting a straight-party vote for a person voting for the first time by mail. Makes a nonsubstantive change relating to the expiration of Section 13.122(d), Election Code.

SECTION 2. Amends Section 65.011, Election Code, as follows:

Sec. 65.011. OVERVOTING. Deletes text regarding an exception provided by Section 65.007(c) or (d).

SECTION 3. Amends Section 105.002(c), Election Code, to delete the requirement that a ballot allow for a straight party vote.

SECTION 4. Amends Section 122.001(a), Election Code, to delete the requirement of a voting system to be capable of permitting straight-party voting.

SECTION 5. Repealer: Sections 1.005(20) (Definition of Straight-Party Vote), 52.071 (Voting Square and Instructions For Straight-Party Vote), 64.004 (Making The Ballot For Straight-Party Vote), 65.007 (Tallying Straight-Party Votes), 122.001(b) (Straight-Party Voting System Requirements), 124.001 (Straight-Party Arrangement), 124.003(d) (Exemption Of Candidates Of Uncontested Races In A Straight-Party Voting Heading), 124.063(d) (Indicating A Straight-Party Vote On An Electronic Voting System), and 232.050(d) (Requirement For Permitting Straight-Party Voting In Elections With Fewer Than Three Offices Appear On The Ballot), Election Code.

SECTION 6. Effective date: September 1, 2007.