

BILL ANALYSIS

Senate Research Center

C.S.H.B. 2401
By: Keffer (Fraser)
State Affairs
5/12/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Election Code exempts employees of a county elections administrator in a county with a population of one million or less from certain restrictions on political activities. However, there is still a need to maintain the security and integrity of elections in smaller counties. In fact, the need is greater in smaller counties because the elections administrator's staff is smaller and cannot maintain a firewall to separate and isolate persons running for office from secure information. C.S.H.B. 2401 eliminates the population bracket in Section 31.039(f) of the Election Code.

C.S.H.B. 2401 amends current law relating to the political activities of a person employed by a county elections administrator.

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 31.039, Election Code, by amending Subsection (f) and adding Subsection (g), as follows:

(f) Provides that a person employed on a full-time basis by the county election administrator's office, except as provided by Subsection (g), is subject to Section 31.035 (Restrictions on Political Activities) in the same manner as the administrator. Deletes existing text providing that this subsection applies only to counties with a population of one million or more that have an election administrator.

(g) Provides that Section 31.035(b) (relating to a county elections administrator committing a certain offense) does not apply to a person employed on a full-time basis by the administrator's office in a county with a population of one million or less that has an election administrator.

SECTION 2. Effective date: September 1, 2009.