

## **BILL ANALYSIS**

Senate Research Center

H.B. 2194  
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State Affairs  
5/18/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 2194 amends current law relating to the conduct and administration of elections and of state conventions of political parties.

### **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 43.007, Election Code, by adding Subsections (k) and (l), as follows:

(k) Provides that each county that previously participated in a program under this section is authorized to continue participation in the program for future elections described by Subsection (a) if:

(1) the commissioners court of the county approves participation in the program;  
and

(2) the secretary of state determines the county's participation in the program was successful.

(l) Provides that Subsections (b) (relating to public hearings on county participation in certain programs), (c) (relating to requiring the secretary of state (SOS) to providing audits of direct recording electronic voting units), and (d) (relating to relating to requiring SOS to participate in certain programs) do not apply to a county participating in the program under Subsection (k).

SECTION 2. Amends Subchapter E, Chapter 127, Election Code, by adding Section 127.1311, as follows:

Sec. 127.1311. ANNOUNCING UNOFFICIAL RESULTS. (a) Requires unofficial election results, except as provided by Subsection (b), to be released as soon as they are available after the polls close.

(b) Authorizes the presiding judge of the central counting station, in cooperation with the county clerk, to withhold the release of unofficial election results until the last voter has voted.

SECTION 3. Amends Section 174.092(a), Election Code, to require the biennial state convention to be convened on any day in June or July.

SECTION 4. Amends Section 573.061, Government Code, as follows:

Sec. 573.061. GENERAL EXCEPTIONS. Provides that Section 573.041 (Prohibition Applicable to Public Official) does not apply to:

(1)-(7) Makes no changes to these subdivisions; or

(8) an appointment of an election clerk under Section 32.031 (Presiding Judge to Appoint Clerks), Election Code, who is not related in the first degree by consanguinity or affinity to an elected official of the authority that appoints the election judges for that election.

SECTION 5. Effective date: September 1, 2011.