

BILL ANALYSIS

Senate Research Center
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S.B. 1039
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In order to comply with the federal Voting Rights Act, Harris County must provide a translation of voter registration and ballot materials into Spanish and Vietnamese. As a result of the 2010 Census, Harris County may also be required to translate election materials into Mandarin Chinese.

Chapter 272, Election Code, requires the secretary of state to prepare a Spanish translation of election materials, including instruction posters, ballots, and materials furnished to voters in connection with early voting by mail.

As other counties become more diverse and are thus required to provide translated election materials in languages other than English and Spanish, allowing the secretary of state to prepare the translations will ensure consistency across the state so that translations do not vary from jurisdiction to jurisdiction.

S.B. 1039 requires the secretary of state to prepare translated election materials required to be provided in a language other than English or Spanish to the same extent that the secretary of state prepares Spanish translations.

As proposed, S.B. 1039 amends current law relating to the provision of bilingual election materials.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the secretary of state in SECTION 1 (Section 272.011, Election Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 272, Election Code, by adding Section 272.011, as follows:

Sec. 272.011. BILINGUAL ELECTION MATERIALS REQUIRED IN CERTAIN POLITICAL SUBDIVISIONS. (a) Requires a political subdivision, if the director of the census determines under 42 U.S.C. Section 1973aa-1a that a political subdivision must provide election materials in a language other than English or Spanish, to provide election materials in that language in the same manner in which the political subdivision would be required to provide materials in Spanish under this chapter, to the extent applicable.

(b) Requires the secretary of state to prepare the translation for election materials required to be provided in a language other than English or Spanish to the same extent that the secretary of state prepares Spanish translations under Section 272.007 (Authority Preparing Translation).

(c) Authorizes the secretary of state to adopt rules as necessary to implement this section.

SECTION 2. Effective date: September 1, 2011.