

BILL ANALYSIS

Senate Research Center
85R528 GRM-F

S.B. 64
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State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Local canvassing authorities are required to conduct the local canvass for election returns under their purview. There is a widespread agreement among canvassing authorities that current statute provides insufficient guidance regarding how to memorialize the canvass.

Many have proposed that the legislature adopt a uniform standard. Currently, Section 551.021, Government Code, requires a governmental body to prepare and keep minutes for each open meeting of the body, or make a recording thereof. The minutes must state the subject of each deliberation and indicate each vote, order, decision, or other action taken. Section 67.004, Election Code, sets forth the procedure for the local canvass by the canvassing authority for an election but provides no guidance regarding how to memorialize the results of the canvass. This bill would amend Section 67.004, Election Code, to require that the presiding officer of a canvassing authority note the completion of the canvass in the minutes or recording required by Section 551.021, Government Code.

As proposed, S.B. 64 amends current law relating to recording of minutes for a local canvassing authority.

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 67.004, Election Code, by adding Subsection (g), to require the presiding officer of the canvassing authority to note the completion of the canvass in the minutes or in the recording required by Section 551.021 (Minutes or Recording of Open Meeting Required), Government Code.

SECTION 2. Effective date: September 1, 2017.