

BILL ANALYSIS

C.S.S.B. 957
By: Campbell
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

According to interested parties, a ballot on which propositions with like names or numbers appear may cause voter confusion. C.S.S.B. 957 seeks to minimize that confusion by requiring each political subdivision's ballot proposition to be assigned a unique number or letter on the ballot.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 957 amends the Election Code to require that each political subdivision's proposition on a ballot on which more than one measure is to be voted on be assigned a unique number or letter on the ballot. The bill requires the authority ordering the election to assign a letter of the alphabet to each proposition on the ballot that corresponds to its order on the ballot, unless the proposition is to be voted on statewide, in which case the bill requires the authority to assign a number to the measure that corresponds to its order on the ballot. The bill requires the secretary of state to prescribe procedures to implement provisions governing the ordering of and assignment of a unique number or letter, as applicable, to propositions in such an election in which such a ballot would appear. The bill requires a proposed constitutional amendment to be placed on the ballot before all other propositions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 957 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Section 52.095, Election	SECTION 1. Section 52.095, Election

85R 30031

17.130.370

Substitute Document Number: 85R 29181

Code, is amended to read as follows:
Sec. 52.095. PROPOSITIONS. (a) Except as otherwise provided by law, the authority ordering an election in which more than one measure is to be voted on shall determine the order in which the propositions are to appear on the ballot.

(b) Each political subdivision's proposition on the ballot shall be assigned a unique number on the ballot.

(c) The secretary of state shall prescribe procedures necessary to implement this section.

No equivalent provision.

SECTION 2. This Act takes effect September 1, 2017.

Code, is amended to read as follows:
Sec. 52.095. PROPOSITIONS. (a) Except as otherwise provided by law, the authority ordering an election in which more than one measure is to be voted on shall determine the order in which the propositions are to appear on the ballot.

(b) Each political subdivision's proposition on the ballot shall be assigned a unique number or letter on the ballot as follows:

(1) except as provided by Subdivision (2), for each proposition on the ballot, the authority ordering the election shall assign a letter of the alphabet to the measure that corresponds to its order on the ballot; and

(2) for each proposition on the ballot to be voted on statewide, the authority ordering the election shall assign a number to the measure that corresponds to its order on the ballot.

(c) Each proposition on the ballot must identify the name of the authority ordering the election on the measure.

(d) The secretary of state shall prescribe procedures necessary to implement this section.

SECTION 2. Subchapter A, Chapter 274, Election Code, is amended by adding Section 274.004 to read as follows:

Sec. 274.004. PROPOSITION BALLOT ORDER. A proposed constitutional amendment must be placed on the ballot before all other propositions.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.