

BILL ANALYSIS

Senate Research Center

S.B. 1402
By: Hinojosa
State Affairs
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Recently, there has been increased concern about the lack of oversight with "small town" election administration in small political subdivisions that compromises the integrity of the election process and affects constituent participation at the local level.

Improper election administration can be seen in the unlawful appointment of election judges and clerks and in the selection of inexperienced election workers.

S.B. 1402 amends current law relating to requiring certain political subdivisions to enter a contract with the county elections administrator to perform election services.

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 Subchapter D, Chapter 31, Election Code, by adding Section 31.0925, as follows:

Sec. 31.0925. REQUEST FOR SERVICES REQUIRED. (a) Provides that this section applies only to a political subdivision that is located entirely in a county with a population of more than 500,000 that is served by a county elections administrator and that does not contain a municipality with a population of more than 150,000, and that is not an irrigation district created under the authority of Section 52(b)(1) or (2) (relating to authorizing certain entities to raise revenue for certain water-related projects), Article III (Legislative Department), or Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI (General Provisions), Texas Constitution.

(b) Requires the governing body of a political subdivision to request an election services contract with the county elections administrator to perform all duties and functions of the political subdivision in relation to an election that is authorized to be transferred under this subchapter if the political subdivision receives a petition requesting the contract signed by a number of registered voters residing in the political subdivision that is equal to or exceeds one percent of all votes cast in the most recent general election held by the political subdivision.

(c) Requires that a petition under this section be submitted to the clerk of the political subdivision before January 1 of the year in which the election to be administered under the requested election services contract will be held.

SECTION 2. Effective date: upon passage or September 1, 2009.