

BILL ANALYSIS

C.S.H.B. 3055
By: Guillen
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that preventing certain county elections administrators from holding or being a candidate for certain public offices while simultaneously acting as county elections administrator has unnecessarily limited who is able to function as a county elections administrator. C.S.H.B. 3055 seeks to allow a county elections administrator for a county with a population of less than 1,000 to hold or run for public office under certain conditions.

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.H.B. 3055 amends the Election Code to authorize the county elections administrator for a county with a population of less than 1,000 to hold or be a candidate for public office if no part of the office's jurisdiction is located in the county where the person serves as the elections administrator and if any election for that office is a nonpartisan election.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3055 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter B, Chapter 31, Election Code, is amended by adding Subsection 31.035 (d) to read as follows:

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 31.035, Election Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) Except as provided by Subsection (d), a
[A] county elections administrator may not

be a candidate for a public office or an office of a political party, hold a public office, or hold an office of or position in a political party. At the time an administrator becomes a candidate or accepts an office or position in violation of this subsection, the administrator vacates the position of administrator.

Sec. 31.035. (d) This section does not apply to an administrator who is the county elections administrator in a county other than that in which the administrator holds nonpartisan public office or is a candidate for a nonpartisan public office.

(d) For a county with a population of less than 1,000, the county elections administrator may hold or be a candidate for a public office if:

(1) no part of the jurisdiction of the office is located in the county where the person serves as the elections administrator; and

(2) any election for that office is a nonpartisan election.

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

SECTION 2. Same as introduced version.