1-1 By: Huffman   S.B. No. 323
1-2   (In the Senate - Filed January 10, 2019; February 7, 2019,
1-3 read first time and referred to Committee on State Affairs;
1-4 March 14, 2019, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 14, 2019,
1-6 sent to printer.)

1-7   COMMITTEE VOTE

		Yea	Nay	Absent	PNV
1-9	Huffman	X			
1-10	Hughes	X			
1-11	Birdwell	X			
1-12	Creighton	X			
1-13	Fallon	X			
1-14	Hall	X			
1-15	Lucio	X			
1-16	Nelson	X			
1-17	Zaffirini	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 323   By: Huffman

1-19   A BILL TO BE ENTITLED
1-20   AN ACT

1-21 relating to the review of ballot proposition language for certain
1-22 political subdivision elections.
1-23   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-24   SECTION 1. Subchapter C, Chapter 52, Election Code, is
1-25 amended by adding Section 52.0721 to read as follows:
1-26   Sec. 52.0721. REVIEW OF BALLOT PROPOSITION LANGUAGE.
1-27 (a) This section applies only to an election on a measure held by a
1-28 political subdivision located primarily in a county with a
1-29 population of more than 120,000. This section does not apply to an
1-30 election for which a statute provides the ballot proposition
1-31 language.
1-32   (b) Not later than the 123rd day before an election, a
1-33 political subdivision seeking to hold an election on a measure
1-34 shall submit to the regional presiding judge of the administrative
1-35 judicial region that the political subdivision is located in:
1-36   (1) the ballot proposition language; and
1-37   (2) a brief statement on the purpose of the
1-38 proposition.
1-39   (c) A political subdivision that is located in two or more
1-40 administrative judicial regions may select the administrative
1-41 judicial region to which the political subdivision submits the
1-42 proposition language for review.
1-43   (d) A regional presiding judge shall appoint three judges
1-44 from the administrative judicial region to serve on a panel to
1-45 review ballot proposition language.
1-46   (e) Not later than the 45th day after the receipt by the
1-47 presiding judge of the ballot proposition language, the panel
1-48 shall:
1-49   (1) approve the ballot proposition language under
1-50 Subsection (f); or
1-51   (2) disapprove the ballot proposition language and
1-52 provide the political subdivision with rewritten ballot
1-53 proposition language under Subsection (g).
1-54   (f) If the panel finds the language of the proposition is
1-55 clear and understandable to the average voter, the panel shall
1-56 approve the language of the proposition for the ballot.
1-57   (g) If the panel finds the language of the proposition is
1-58 not clear and understandable to the average voter, the language is
1-59 disapproved and may not be used on the ballot at the election. The
1-60 panel shall provide the political subdivision with rewritten ballot

2-1 proposition language that is clear and understandable to the
2-2 average voter for use in the election.
2-3   (h) Following disapproval under Subsection (g), the
2-4 political subdivision may:
2-5   (1) hold the election with the rewritten ballot
2-6 proposition language provided by the panel; or
2-7   (2) submit revised ballot proposition language for
2-8 approval by the panel in the manner provided under Subsections (f)
2-9 and (g).
2-10   (i) To the extent of a conflict between this section and any
2-11 provision of law requiring a political subdivision to hold an
2-12 election on a measure within a certain period, this section
2-13 controls.
2-14   SECTION 2. (a) The change in law made by this Act applies
2-15 only to an election ordered on or after the effective date of this
2-16 Act. An election ordered before the effective date of this Act is
2-17 governed by the law in effect when the election was ordered, and the
2-18 former law is continued in effect for that purpose.
2-19   (b) Not later than February 1, 2020, each regional presiding
2-20 judge of an administrative judicial region shall appoint three
2-21 judges from the administrative judicial region to serve on a panel
2-22 to review ballot proposition language.
2-23   SECTION 3. This Act takes effect January 1, 2020.

2-24   * * * * *