



Legislative Wrap-Up

Texas Alliance of Groundwater Districts Meeting
June 28, 2011

Presented by:

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SB 100 – Implementation of MOVE Act

- SB 100 is the implementation of the federal Military and Overseas Voter Empowerment (MOVE) Act.
- MOVE Act requires overseas civilian and military ballots be prepared and sent out no later than 45 days prior to an election when federal races are on the ballot.



SB 100 – MOVE Act Implementation

- 41.001 of Texas Election Code (Uniform Election Date Section) was revised.
 - the second Saturday in May in odd-numbered year;
 - the second Saturday in May of even-numbered year, for an election held by a political subdivision other than a county; or
 - the first Tuesday after the first Monday in November.
- New 41.001 (d), Election Code – a county elections administrator is not required to enter into a contract to furnish election services for an election on May of even-number years.



HB 1545 – Change of Election Date

- Similar language to SB 100.
- Enables a political subdivision that holds its general election for officers on a date other than the November uniform election date to change the date of the political subdivision's general election to the November uniform election date.
- Decision to change election date must be made by December 31, 2012.
- GCDs should check with their enabling act to see if elections are required to be held on specific dates.



HB 2194 - Election Code Revisions

- Unofficial election results of an election must be released as soon as the results are available after the polls close, but the unofficial results can be withheld until the last voter has voted.
- Prohibits performance-based compensation for registering voters and creates a Class A misdemeanor for such conduct.



HB 2817 – Election Code Revisions

- Requires that election order and election notice state only the location of the main early voting place instead of all the early voting polling places.
- Requires that notice be posted not later than the 30th day before the last day that a candidate may file an application for a place on the ballot.
- Moves the date for withdrawal of candidacy to 5:00 p.m. on the third day after the deadline for filing for a place on the ballot.



SB 14 – Voter Identification

- SB 14 requires all voters to present identification before voting.
- Acceptable forms of identification as provided in SB 14 are:
 - Driver's license
 - Personal identification card issued by Dept. of Public Safety
 - Military identification card
 - U.S. citizenship certificate
 - U. S. passport
 - Concealed handgun license



HB 2226 – Revisions to Public Funds Investment Act

- HB 2226 makes numerous changes to the Public Funds Investment Act (Chapter 2256 of the Texas Government Code).
- PFIA is applicable to GCDs because of Section 36.156 of Water Code.
- HB 2226 clarifies several sections of PFIA, including the language that states that the two year period during which certain training requirements must be met begins on first day of governmental entity's fiscal year.



Texas Open Meetings Act – Chapter 551 of the Texas Government Code

- Several bills amended TOMA, but nothing specific that impacts GCDs.
- Increased notice provisions for GCD meetings related to GMA and DFC decisions established in SB 660.



Texas Public Information Act – Chapter 552 of the Texas Government Code

- Multiple bills amended the Texas Public Information Act.
- SB 602 made numerous revisions regarding what information can be redacted when a governmental entity is responding to a TPIA request.



HB 2702 / HB 3109

- HB 2702 – revises Section 36.121 of the Water Code.
- 36.121 addresses certain wells that are not subject to a GCD’s regulation.
- HB 2702 – legislative effort to update population brackets based on latest census information.
- HB 3109 revises population “ceiling” in part of Section 36.121 and HB 2702 includes language that establishes population “floors” and a population “ceiling”.



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