



January 2020, Number 86-6

General Government

Texas Legislature's 2019 session in review

[January 21](#) — The 86th Texas Legislature considered a variety of proposals during its biennial session in 2019. Among the major bills enacted were those that revised the property tax system and the school finance system, addressed state and local disaster response and recovery efforts, and revised state policies on mental health and school safety.

Summaries of some of the session's major issues — including both bills that were enacted and those that failed to become law — are available in the House Research Organization's latest focus report, [Major Issues of the 86th Legislature](#). The report includes a digest of each bill, as well as supporting and opposing arguments offered during consideration of the legislation.

The Legislature also approved 10 resolutions proposing amendments to the Texas Constitution. All except Proposition 1 were approved by voters in the Nov. 5, 2019 election. More information is available in the HRO report, [Constitutional amendments proposed for November 2019 ballot](#).

Members filed 7,324 bills and sent 1,429 to the governor for approval. Gov. Greg Abbott vetoed 56 bills, including measures that addressed guardianship, municipal annexation, contracting, and game room regulation, among others. Information about vetoed bills is available in the HRO report [Vetoed of Legislation, 86th Legislature](#).

— Janet Elliott

General Government

Texas revises rules for temporary early voting sites

[January 31](#) — A new Texas law being challenged in federal court ends the practice of mobile voting and establishes new requirements for temporary branch polling places used in early voting.

[HB 1888](#) by G. Bonnen, which took effect September 1, 2019, requires all temporary branch polling places to be open in a fixed location for at least eight hours on the days that main early voting polling places are open. These requirements are relaxed for certain rural areas — a temporary polling place has to be open only for at least three hours per day if the city or county clerk does not serve as the early voting clerk for the territory holding the election and the territory has fewer than 1,000 registered voters. Before the new law, local election administrators generally could set up and operate a temporary branch polling

place during early voting for a select number of hours and days and move it to different locations.

Since HB 1888 took effect, local election administrators no longer may move a temporary branch polling place or operate it for limited times during early voting.

Supporters of the bill said that it would help combat vote harvesting, in which mobile voting sites are strategically placed in locations where those likely to support a particular election outcome live or that they may frequent. An example of vote harvesting offered by proponents of HB 1888 is the placing of voting sites on or near a school campus for a school bond election.

Supporters said requiring temporary polling places to remain open for longer hours and on more days during early voting would make it possible for more people to cast ballots. They also said that requiring uniform times and locations for temporary branch polling places would reduce confusion about when and where such polling places were open, making it easier for more people to vote.

Critics said the bill would limit voter turnout because mobile polling places allowed election officials to reach more voters across a wider geographic area, including the elderly, college students, and others who may lack regular access to transportation. If the goal of HB 1888 was to prevent selective vote harvesting during school bond elections, critics said, the bill should have targeted just those contests and not all elections.

Critics also said requiring temporary polling places to remain open in a single location for the entire early voting period could be financially prohibitive. Local officials might forgo temporary polling sites altogether due to cost and worker shortages, they said.

Civil lawsuits challenging HB 1888 were filed in 2019 against the Texas Secretary of State in the U.S. District Court in Austin by national and Texas Democratic Party organizations contending that the bill creates an unconstitutional burden on the fundamental right of young and elderly voters to exercise their right to vote.

— *Andrew McNair*