

HB 3310 A STAFF MEASURE SUMMARY

Carrier: Rep. Hernandez

House Committee On Rules

Action Date: 05/13/19

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 4-3-0-0

Yeas: 4 - Holvey, Nosse, Smith Warner, Williamson

Nays: 3 - Boles, Sprenger, Wilson

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

Meeting Dates: 4/15, 5/13

WHAT THE MEASURE DOES:

Adopts voting rights legislation applicable to school districts, education service districts, and community college districts. Prohibits district election from impairing members of protected class from having equal opportunity to elect candidates of their choice, or equal opportunity to influence outcome of election, as result of dilution or abridgement of rights of members of protected class. Conditions cause of action alleging violation on notice to board that includes proposed remedy. Creates process for district board to change electoral system and authorizes court to order same. Directs Secretary of State to publicize specified information relating to Act.

ISSUES DISCUSSED:

- Federal voting rights act
- Zones vs. at-large districts

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Section 2 of the Voting Rights Act of 1965 prohibits the denial or abridgement of the right to vote on account of certain immutable characteristics, including race and color. According to the United States Department of Justice, most cases arising under this provision have involved challenges to at-large election schemes. House Bill 3310 A creates a similar, state law prohibition, that applies to school districts, education service districts, and community college districts, providing both a cause of action and a mechanism by which district boards may modify their election systems.