

By: Burnam

H.B. No. 2756

Substitute the following for H.B. No. 2756:

By: Denny

C.S.H.B. No. 2756

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the establishment of a standardized election training
3 program, to compensation for the training of and for services
4 rendered at a polling place by certain election officers, and for an
5 increase in filing fees to aid in providing that program and
6 compensation.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

8 SECTION 1. Section 32.091, Election Code, is amended by
9 amending Subsection (a) and adding Subsection (c) to read as
10 follows:

11 (a) Except as provided by Subsection (c), an [An] election
12 judge or clerk is entitled to compensation for services rendered at
13 a precinct polling place at an hourly rate not to exceed the amount
14 fixed by the appropriate authority, which amount must be at least
15 the federal minimum hourly wage. A judge or clerk may be compensated
16 at that rate for services rendered under Section 62.014(c).

17 (c) For a primary or runoff primary election, the minimum
18 hourly rate is the greater of the maximum rate provided by
19 Subsection (a) or, if the election officer attended a training
20 program as provided by Subchapter F, \$7.

21 SECTION 2. Section 32.111, Election Code, is amended to
22 read as follows:

23 Sec. 32.111. TRAINING STANDARDS FOR ELECTION JUDGES. (a)
24 The secretary of state shall [~~governing body of a political~~

1 ~~subdivision that holds elections or the county executive committee~~
2 ~~of a political party that holds primary elections may]:~~

3 (1) adopt [~~minimum~~] standards of training in election
4 law and procedure for presiding or alternate election judges
5 [~~serving in its elections~~]; [~~and~~]

6 (2) develop materials for a standardized curriculum
7 for that training; and

8 (3) distribute the materials as necessary to the
9 governing bodies of political subdivisions that hold elections and
10 to each county executive committee of a political party that holds a
11 primary election [~~require that a person meet those standards before~~
12 ~~appointment or service as a judge].~~

13 (b) The [~~Minimum~~] training standards may include required
14 attendance at appropriate training programs or the passage of an
15 examination at the end of a training program.

16 SECTION 3. Section 32.112, Election Code, is amended to
17 read as follows:

18 Sec. 32.112. EXPENSE OF TRAINING JUDGES. The governing
19 body of a political subdivision may appropriate funds to:

20 (1) compensate its election judges, early voting
21 clerk, and deputy early voting clerks in charge of early voting
22 polling places for attending a training program required under
23 Section 32.111 [~~programs~~], at an hourly rate not to exceed the
24 maximum rate of compensation of an election judge for services
25 rendered at a precinct polling place or, if applicable, for
26 attending a training program under Section 32.114; and

27 (2) pay the expenses of conducting the programs.

1 SECTION 4. Sections 32.113(a) and (b), Election Code, are
2 amended to read as follows:

3 (a) The governing body of a political subdivision other than
4 a county may, and the county executive committee of a political
5 party shall, provide training [~~programs~~] for its election officers
6 using the standardized training program and materials developed and
7 provided by the secretary of state under Section 32.111.

8 (b) A political subdivision or county executive committee
9 may conduct its training [~~programs~~] independently or jointly with
10 other entities.

11 SECTION 5. Section 32.114, Election Code, is amended by
12 amending Subsection (a) and adding Subsection (e) to read as
13 follows:

14 (a) The county clerk shall provide one or more sessions of
15 [~~a~~] training using the standardized training program and materials
16 developed and provided by the secretary of state under Section
17 32.111 [~~program~~] for the election judges and clerks appointed to
18 serve in elections ordered by the governor or a county authority.
19 Each election judge shall complete the training program.

20 (e) An election judge, early voting clerk, or deputy early
21 voting clerk in charge of an early voting polling place is entitled
22 to compensation for attending the training program at an hourly
23 rate not to exceed \$7.

24 SECTION 6. Section 172.024(a), Election Code, is amended to
25 read as follows:

26 (a) The filing fee for a candidate for nomination in the
27 general primary election is as follows:

- 1 (1) United States senator \$5,000 [~~\$4,000~~]
- 2 (2) office elected statewide, except United States
- 3 senator 3,750 [~~3,000~~]
- 4 (3) United States representative 3,125 [~~2,500~~]
- 5 (4) state senator 1,250 [~~1,000~~]
- 6 (5) state representative 750 [~~600~~]
- 7 (6) member, State Board of Education 300 [~~250~~]
- 8 (7) chief justice or justice, court of appeals, other
- 9 than a justice specified by Subdivision (8) 1,875 [~~1,500~~]
- 10 (8) chief justice or justice of a court of appeals that
- 11 serves a court of appeals district in which a county with a
- 12 population of more than 850,000 is wholly or partly
- 13 situated 2,500 [~~2,000~~]
- 14 (9) district judge or judge specified by Section
- 15 52.092(d) for which this schedule does not otherwise prescribe a
- 16 fee 1,500 [~~1,200~~]
- 17 (10) district or criminal district judge of a court in
- 18 a judicial district wholly contained in a county with a population
- 19 of more than 850,000 2,500 [~~2,000~~]
- 20 (11) judge, statutory county court, other than a judge
- 21 specified by Subdivision (12) 1,500 [~~1,200~~]
- 22 (12) judge of a statutory county court in a county with
- 23 a population of more than 850,000 2,500 [~~2,000~~]
- 24 (13) district attorney, criminal district attorney,
- 25 or county attorney performing the duties of a district
- 26 attorney 1,250 [~~1,000~~]
- 27 (14) county commissioner, county clerk, sheriff,

1 county tax assessor-collector, county treasurer, or judge,
2 constitutional county court:

3 (A) county with a population of 200,000 or
4 more 1,250 [~~1,000~~]

5 (B) county with a population of under
6 200,000 750 [~~600~~]

7 (15) justice of the peace or constable:

8 (A) county with a population of 200,000 or
9 more 1,000 [~~800~~]

10 (B) county with a population of under
11 200,000 375 [~~300~~]

12 (16) county surveyor, inspector of hides and animals,
13 or public weigher 75 [~~50~~]

14 (17) office of the county government for which this
15 schedule does not otherwise prescribe a fee 750 [~~600~~]

16 SECTION 7. Section 173.005(a), Election Code, is amended to
17 read as follows:

18 [~~(a)~~] The maximum hourly rate payable with state funds in a
19 particular primary election year to election judges serving in a
20 primary election for attending training programs is the same as the
21 maximum rate prescribed by this code for [~~a political~~
22 ~~subdivision's~~] compensation for attending a training program for
23 election judges appointed to serve in elections ordered by the
24 governor or a county authority [~~of its election judges for the same~~
25 ~~activity~~].

26 SECTION 8. Section 173.005(b), Election Code, is repealed.

27 SECTION 9. This Act takes effect September 1, 2003.