

By: Dutton

H.B. No. 459

A BILL TO BE ENTITLED

AN ACT

relating to the compensation of an election judge or clerk.

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

SECTION 1. Sections 32.091(a) and (c), Election Code, are amended to read as follows:

(a) Except as provided by Subsection (c), an election judge or clerk is entitled to compensation for services rendered at a precinct polling place at an hourly rate not to exceed the amount fixed by the appropriate authority, which amount must be at least 1-1/2 times the federal minimum hourly wage. A judge or clerk may be compensated at that rate for services rendered under Section 62.014(c).

(c) For a primary or runoff primary election, the minimum hourly rate is the greater of the maximum rate provided by Subsection (a) or, if the election officer attended a training program as provided by Subchapter F, \$9 [~~\$7~~].

SECTION 2. Subchapter E, Chapter 32, Election Code, is amended by adding Section 32.095 to read as follows:

Sec. 32.095. DEADLINE FOR COMPENSATION. The authority fixing compensation under Section 32.093 shall provide for compensation to be paid to an election judge or clerk not later than 72 hours after the time the compensation statement is submitted under Section 32.094.

SECTION 3. Section 32.112, Election Code, is amended to

1 read as follows:

2 Sec. 32.112. EXPENSE OF TRAINING JUDGES. (a) The governing
3 body of a political subdivision may appropriate funds to:

4 (1) compensate its election judges, early voting
5 clerk, and deputy early voting clerks in charge of early voting
6 polling places for attending a training program required under
7 Section 32.111, at an hourly rate at least 1-1/2 times the federal
8 minimum hourly wage, not to exceed the maximum rate of compensation
9 of an election judge for services rendered at a precinct polling
10 place or, if applicable, for attending a training program under
11 Section 32.114; and

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

13 (b) A political subdivision making an appropriation under
14 this section shall provide for compensation to be paid to an
15 election judge or clerk not later than 72 hours after the time the
16 judge or clerk provides documentation acceptable to the political
17 subdivision that the person is entitled to compensation under this
18 section.

19 SECTION 4. This Act takes effect September 1, 2005, and
20 applies only to compensation for an election judge or clerk for
21 services rendered or training attended on or after that date.