

By: Gattis

H.B. No. 1209

A BILL TO BE ENTITLED

AN ACT

relating to using county election precincts for any election held on the November uniform election date.

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

SECTION 1. Section 42.002(a), Election Code, is amended to read as follows:

(a) The county election precincts are the election precincts for the following elections:

(1) the general election for state and county officers;

(2) a special election ordered by the governor;

(3) a primary election; ~~and~~

(4) a countywide election ordered by the commissioners court, county judge, or other county authority, except an election subject to Section 42.062(2); and

(5) any other election held on the November uniform election date, as provided by Section 42.0621.

SECTION 2. Subchapter C, Chapter 42, Election Code, is amended by adding Section 42.0621 to read as follows:

Sec. 42.0621. PRECINCTS FOR NOVEMBER ELECTION. (a) In an election held on the November uniform election date, the participating political subdivisions shall use the regular county election precincts.

(b) If an election precinct is not located wholly within the

1 territory of a political subdivision holding an election in the  
2 precinct or a district used to elect an office at the election,  
3 election officials shall take reasonable measures to ensure that a  
4 voter voting at that precinct may not vote in an election in which  
5 the voter is not entitled to vote.

6 (c) This section does not require a political subdivision to  
7 contract with a county under Section 31.092 or hold a joint election  
8 with a county under Chapter 271.

9 (d) The secretary of state shall prescribe procedures to  
10 implement this section.

11 SECTION 3. Section 43.004, Election Code, is amended to  
12 read as follows:

13 Sec. 43.004. DESIGNATION OF LOCATION: ELECTIONS OF OTHER  
14 POLITICAL SUBDIVISIONS. (a) The governing body of each political  
15 subdivision authorized to hold elections, other than a county,  
16 shall designate the location of the polling place for each of its  
17 election precincts.

18 (b) If a political subdivision holds an election on the  
19 November uniform election date, the political subdivision shall  
20 designate as the polling places for the election the regular county  
21 polling places in the county election precincts that contain  
22 territory from the political subdivision.

23 SECTION 4. This Act takes effect September 1, 2005.