

1-1 By: Gattis (Senate Sponsor - Ogden) H.B. No. 1209  
1-2 (In the Senate - Received from the House May 10, 2005;  
1-3 May 12, 2005, read first time and referred to Committee on State  
1-4 Affairs; May 19, 2005, reported favorably by the following vote:  
1-5 Yeas 8, Nays 0; May 19, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to using county election precincts for any election held  
1-9 on the November uniform election date.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 42.002(a), Election Code, is amended to  
1-12 read as follows:

1-13 (a) The county election precincts are the election  
1-14 precincts for the following elections:

1-15 (1) the general election for state and county  
1-16 officers;

1-17 (2) a special election ordered by the governor;

1-18 (3) a primary election; [~~and~~]

1-19 (4) a countywide election ordered by the commissioners  
1-20 court, county judge, or other county authority, except an election  
1-21 subject to Section 42.062(2); and

1-22 (5) any other election held on the November uniform  
1-23 election date, as provided by Section 42.0621.

1-24 SECTION 2. Subchapter C, Chapter 42, Election Code, is  
1-25 amended by adding Section 42.0621 to read as follows:

1-26 Sec. 42.0621. PRECINCTS FOR NOVEMBER ELECTION. (a) In an  
1-27 election held on the November uniform election date, the  
1-28 participating political subdivisions shall use the regular county  
1-29 election precincts.

1-30 (b) If an election precinct is not located wholly within the  
1-31 territory of a political subdivision holding an election in the  
1-32 precinct or a district used to elect an office at the election,  
1-33 election officials shall take reasonable measures to ensure that a  
1-34 voter voting at that precinct may not vote in an election in which  
1-35 the voter is not entitled to vote.

1-36 (c) This section does not require a political subdivision to  
1-37 contract with a county under Section 31.092 or hold a joint election  
1-38 with a county under Chapter 271.

1-39 (d) The secretary of state shall prescribe procedures to  
1-40 implement this section.

1-41 SECTION 3. Section 43.004, Election Code, is amended to  
1-42 read as follows:

1-43 Sec. 43.004. DESIGNATION OF LOCATION: ELECTIONS OF OTHER  
1-44 POLITICAL SUBDIVISIONS. (a) The governing body of each political  
1-45 subdivision authorized to hold elections, other than a county,  
1-46 shall designate the location of the polling place for each of its  
1-47 election precincts.

1-48 (b) If a political subdivision holds an election on the  
1-49 November uniform election date, the political subdivision shall  
1-50 designate as the polling places for the election the regular county  
1-51 polling places in the county election precincts that contain  
1-52 territory from the political subdivision.

1-53 SECTION 4. This Act takes effect September 1, 2005.

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