

By: Noriega

H.B. No. 3162

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the temporary replacement of a member of a political  
3 party's county executive committee who enters active military  
4 service.

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

6 SECTION 1. Subchapter B, Chapter 171, Election Code, is  
7 amended by adding Section 171.0251 to read as follows:

8 Sec. 171.0251. TEMPORARY REPLACEMENT OF COMMITTEE MEMBER IN  
9 MILITARY. (a) In this section, "armed forces of the United States"  
10 means the United States Army, the United States Navy, the United  
11 States Air Force, the United States Marine Corps, the United States  
12 Coast Guard, any reserve or auxiliary component of any of those  
13 services, or the National Guard.

14 (b) A member of the county executive committee who enters  
15 active duty in the armed forces of the United States as a result of  
16 being called to duty, drafted, or activated does not vacate the  
17 office held, but the committee member may appoint a replacement to  
18 serve as a temporary acting officer if the committee member will be  
19 on active duty for longer than 30 days.

20 (c) The temporary acting officer appointed as provided by  
21 Subsection (b) must be:

22 (1) a member of the same political party as the  
23 committee member being temporarily replaced; and

24 (2) qualified for office under Section 161.005.

1       (d) The temporary acting officer appointed as provided by  
2 Subsection (b) has all the powers, privileges, and duties of the  
3 office and is entitled to the same compensation, payable in the same  
4 manner and from the same source, as the member of the county  
5 executive committee who is temporarily replaced.

6       (e) The temporary acting officer appointed as provided by  
7 Subsection (b) shall perform the duties of the committee member  
8 until the earlier of:

9               (1) the date the active military service of the  
10 committee member who is temporarily replaced ends; or

11               (2) the date the term of office of the committee member  
12 who is temporarily replaced expires.

13       SECTION 2. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2005.