

1-1 By: Noriega (Senate Sponsor - Ellis) H.B. No. 3162
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 20, 2005, reported favorably, as amended, by the
1-5 following vote: Yeas 7, Nays 0; May 20, 2005, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: Armbrister

1-7 Amend H.B. 3162 as follows:
1-8 On page 1, strike line 30 and substitute with the following:
1-9 unable to fulfill the member's duties, due to the member's
1-10 obligations to the armed forces of the United States.

1-11 A BILL TO BE ENTITLED
1-12 AN ACT

1-13 relating to the temporary replacement of a member of a political
1-14 party's county executive committee who enters active military
1-15 service.

1-16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-17 SECTION 1. Subchapter B, Chapter 171, Election Code, is
1-18 amended by adding Section 171.0251 to read as follows:

1-19 Sec. 171.0251. TEMPORARY REPLACEMENT OF COMMITTEE MEMBER IN
1-20 MILITARY. (a) In this section, "armed forces of the United States"
1-21 means the United States Army, the United States Navy, the United
1-22 States Air Force, the United States Marine Corps, the United States
1-23 Coast Guard, any reserve or auxiliary component of any of those
1-24 services, or the National Guard.

1-25 (b) A member of the county executive committee who enters
1-26 active duty in the armed forces of the United States as a result of
1-27 being called to duty, drafted, or activated does not vacate the
1-28 office held, but the committee member may appoint a replacement to
1-29 serve as a temporary acting officer if the committee member will be
1-30 on active duty for longer than 30 days.

1-31 (c) The temporary acting officer appointed as provided by
1-32 Subsection (b) must be:

1-33 (1) a member of the same political party as the
1-34 committee member being temporarily replaced; and

1-35 (2) qualified for office under Section 161.005.

1-36 (d) The temporary acting officer appointed as provided by
1-37 Subsection (b) has all the powers, privileges, and duties of the
1-38 office and is entitled to the same compensation, payable in the same
1-39 manner and from the same source, as the member of the county
1-40 executive committee who is temporarily replaced.

1-41 (e) The temporary acting officer appointed as provided by
1-42 Subsection (b) shall perform the duties of the committee member
1-43 until the earlier of:

1-44 (1) the date the active military service of the
1-45 committee member who is temporarily replaced ends; or

1-46 (2) the date the term of office of the committee member
1-47 who is temporarily replaced expires.

1-48 SECTION 2. This Act takes effect immediately if it receives
1-49 a vote of two-thirds of all the members elected to each house, as
1-50 provided by Section 39, Article III, Texas Constitution. If this
1-51 Act does not receive the vote necessary for immediate effect, this
1-52 Act takes effect September 1, 2005.

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