

By: Martinez Fischer

H.B. No. 994

A BILL TO BE ENTITLED

AN ACT

relating to requiring public high school students to assist in the conduct of elections.

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

SECTION 1. Section 28.025, Education Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) In addition to the requirements of Subsection (c), to graduate and receive a diploma, a student must participate as an assistant election clerk as provided by Section 32.036, Election Code, in at least one election. This subsection does not apply to a student with a disability that significantly interferes with the student's ability to perform any of the duties of an assistant election clerk. The determination of whether a disability significantly interferes with a student's ability to perform the duties of an assistant election clerk must be made by the student's admission, review, and dismissal committee. For purposes of this subsection, "student with a disability" means a student who is eligible for a district's special education program under Section 29.003(b).

SECTION 2. Subchapter B, Chapter 32, Election Code, is amended by adding Section 32.036 to read as follows:

Sec. 32.036. ASSISTANT ELECTION CLERKS. (a) To comply with Section 28.025(c-1), Education Code, a high school student may be appointed as an assistant election clerk to assist in the conduct

1 of an election.

2 (b) An assistant election clerk under this section is not
3 required to be a qualified voter.

4 (c) The secretary of state and the commissioner of education
5 shall enter into a memorandum of understanding to establish a
6 program that would allow high school students to comply with
7 Section 28.025(c-1), Education Code.

8 (d) The secretary of state shall prescribe procedures for
9 the appointment of assistant election clerks under this section.

10 SECTION 3. The change in law made by Section 28.025(c-1),
11 Education Code, as added by this Act, applies beginning with the
12 2008-2009 school year.

13 SECTION 4. (a) Not later than October 1, 2007, the
14 commissioner of education and the secretary of state shall enter
15 into a memorandum of understanding to establish a program as
16 provided by Section 32.036, Election Code, as added by this Act.

17 (b) Not later than November 1, 2007, the secretary of state
18 shall adopt procedures as provided by Section 32.036, Election
19 Code, as added by this Act.

20 SECTION 5. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2007.