

By: Anchia

H.B. No. 3105

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a program allowing for countywide voting locations in  
3 certain elections.

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

5 SECTION 1. Subchapter A, Chapter 43, Election Code, is  
6 amended by adding Section 43.007 to read as follows:

7 Sec. 43.007. COUNTYWIDE POLLING PLACE PROGRAM. (a) The  
8 secretary of state shall implement a program to use countywide  
9 polling places for each general election for state and county  
10 officers.

11 (b) The commissioners court of a county that desires to  
12 participate in the program authorized by this section shall hold a  
13 public hearing on the county's participation in the program. The  
14 commissioners court shall submit a transcript or electronic  
15 recording of the public comments made at the hearing to the  
16 secretary of state.

17 (c) In conducting the program, the secretary of state shall  
18 provide for an audit of the direct recording electronic voting  
19 units before and after the election, and during the election to the  
20 extent such an audit is practicable.

21 (d) The secretary of state shall select to participate in  
22 the program each county that:

23 (1) has held a public hearing under Subsection (b);

24 (2) has implemented a computerized voter registration

1 list that allows an election officer at the polling place to verify  
2 that a voter has not previously voted in the election;

3 (3) uses direct recording electronic voting machines;  
4 and

5 (4) is determined by the secretary of state to have the  
6 appropriate technological capabilities.

7 (e) The secretary of state may select a county to  
8 participate in the program that has previously participated in a  
9 similar program.

10 (f) A county that participates in a program under this  
11 section shall establish countywide polling places:

12 (1) at locations in central business districts;

13 (2) at the location of the main early voting polling  
14 place;

15 (3) at the location of a permanent branch polling  
16 place established under Section 85.061;

17 (4) at the location of a temporary branch polling  
18 place established under Section 85.062; and

19 (5) outside a central business district, based on  
20 geography and population to promote even distribution outside  
21 central business districts.

22 (g) In selecting locations under Subsection (f), a county  
23 must create a plan that establishes a methodology for determining  
24 where each polling place will be located. The plan must:

25 (1) ensure that more countywide polling places are  
26 located in central business districts than in other areas of  
27 similar size;

1           (2) require the total number of polling places  
2 established for the election to be not less than 50 percent of the  
3 number of precinct polling places that would otherwise be located  
4 in the county; and

5           (3) receive the approval of each political party that  
6 nominated a candidate in the election for which the polling places  
7 will be used.

8           (h) In creating the plan under Subsection (g), the county  
9 shall solicit input from representatives of community groups  
10 located within the county, including neighborhood groups and  
11 communities with a significant minority population.

12           (i) The county shall make the methodology used in  
13 determining the location of a countywide polling place under this  
14 section available to the public.

15           (j) A county that participates in a program under this  
16 section may also establish polling places for any county election  
17 precinct to serve the voters of the precinct.

18           (k) The secretary of state shall operate the program  
19 established under Subsection (a) as a pilot program until June 1,  
20 2009.

21           (l) Not later than January 1, 2009, the secretary of state  
22 shall file a report with the legislature. The report may include  
23 the secretary of state's recommendations on the future use of  
24 countywide polling places and suggestions for permanent statutory  
25 authority regarding countywide polling places.

26           (m) This section expires June 1, 2009.

27           SECTION 2. This Act takes effect September 1, 2007.