

AN ACT

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

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

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

Sec. 43.007. COUNTYWIDE POLLING PLACE PROGRAM. (a) The secretary of state shall implement a program to allow each commissioners court participating in the program to eliminate county election precincts and establish countywide polling places for:

(1) each general election for state and county officers;

(2) each countywide election held on the uniform election date in May; and

(3) each election of a political subdivision located in the county that is held jointly with an election described by Subdivision (1) or (2).

(b) The commissioners court of a county that desires to participate in the program authorized by this section shall hold a public hearing on the county's participation in the program. The commissioners court shall submit a transcript or electronic recording of the public comments made at the hearing to the secretary of state. A county that has previously participated in a

1 similar program and held a public hearing on the county's  
2 participation in that program is not required to hold a hearing  
3 under this subsection.

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

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

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

11 (2) has implemented a computerized voter registration  
12 list that allows an election officer at the polling place to verify  
13 that a voter has not previously voted in the election;

14 (3) uses direct recording electronic voting machines;  
15 and

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

18 (e) Each countywide polling place must allow a voter to vote  
19 in the same elections in which the voter would be entitled to vote  
20 in the county election precinct in which the voter resides.

21 (f) In selecting countywide polling places, a county must  
22 adopt a methodology for determining where each polling place will  
23 be located. The total number of countywide polling places may not  
24 be less than 50 percent of the number of precinct polling places  
25 that would otherwise be located in the county.

26 (g) A county participating in the program must establish a  
27 plan to provide notice informing voters of the changes made to the

1 locations of polling places under the program. The plan must  
2 require that notice of the location of the nearest countywide  
3 polling place be posted on election day at each polling place used  
4 in the previous general election for state and county officers that  
5 is not used as a countywide polling place.

6 (h) In creating the plan under Subsection (g), the county  
7 shall solicit input from organizations located within the county  
8 who represent minority voters.

9 (i) The secretary of state may select a county to  
10 participate in the program that has previously participated in a  
11 similar program.

12 (j) The secretary of state shall operate the program  
13 established under Subsection (a) as a pilot program until June 1,  
14 2009.

15 (k) At the conclusion of the pilot program established under  
16 Subsection (a), but not later than January 1, 2009, the secretary of  
17 state shall file a report with the legislature. The report may  
18 include the secretary of state's recommendations on the future use  
19 of countywide polling places and suggestions for permanent  
20 statutory authority regarding countywide polling places.

21 (l) This section expires June 1, 2009.

22 SECTION 2. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2007.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3105 was passed by the House on May 11, 2007, by the following vote: Yeas 144, Nays 0, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 3105 on May 23, 2007, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 3105 on May 26, 2007, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

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Chief Clerk of the House

H.B. No. 3105

I certify that H.B. No. 3105 was passed by the Senate, with amendments, on May 18, 2007, by the following vote: Yeas 30, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 3105 on May 26, 2007, by the following vote: Yeas 30, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor