

1-1 By: Anchia (Senate Sponsor - Duncan) H.B. No. 3105
1-2 (In the Senate - Received from the House May 14, 2007;
1-3 May 14, 2007, read first time and referred to Committee on State
1-4 Affairs; May 15, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
1-6 May 15, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3105 By: Duncan

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to a program allowing for countywide voting locations in
1-11 certain elections.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter A, Chapter 43, Election Code, is
1-14 amended by adding Section 43.007 to read as follows:

1-15 Sec. 43.007. COUNTYWIDE POLLING PLACE PROGRAM. (a) The
1-16 secretary of state shall implement a program to allow each
1-17 commissioners court participating in the program to eliminate
1-18 county election precincts and establish countywide polling places
1-19 for:

1-20 (1) each general election for state and county
1-21 officers;

1-22 (2) each countywide election held on the uniform
1-23 election date in May; and

1-24 (3) each election of a political subdivision located
1-25 in the county that is held jointly with an election described by
1-26 Subdivision (1) or (2).

1-27 (b) The commissioners court of a county that desires to
1-28 participate in the program authorized by this section shall hold a
1-29 public hearing on the county's participation in the program. The
1-30 commissioners court shall submit a transcript or electronic
1-31 recording of the public comments made at the hearing to the
1-32 secretary of state. A county that has previously participated in a
1-33 similar program and held a public hearing on the county's
1-34 participation in that program is not required to hold a hearing
1-35 under this subsection.

1-36 (c) In conducting the program, the secretary of state shall
1-37 provide for an audit of the direct recording electronic voting
1-38 units before and after the election, and during the election to the
1-39 extent such an audit is practicable.

1-40 (d) The secretary of state shall select to participate in
1-41 the program each county that:

1-42 (1) has held a public hearing under Subsection (b);

1-43 (2) has implemented a computerized voter registration
1-44 list that allows an election officer at the polling place to verify
1-45 that a voter has not previously voted in the election;

1-46 (3) uses direct recording electronic voting machines;
1-47 and

1-48 (4) is determined by the secretary of state to have the
1-49 appropriate technological capabilities.

1-50 (e) Each countywide polling place must allow a voter to vote
1-51 in the same elections in which the voter would be entitled to vote
1-52 in the county election precinct in which the voter resides.

1-53 (f) In selecting countywide polling places, a county must
1-54 adopt a methodology for determining where each polling place will
1-55 be located. The total number of countywide polling places may not
1-56 be less than 50 percent of the number of precinct polling places
1-57 that would otherwise be located in the county.

1-58 (g) The secretary of state may select a county to
1-59 participate in the program that has previously participated in a
1-60 similar program.

1-61 (h) The secretary of state shall operate the program
1-62 established under Subsection (a) as a pilot program until June 1,
1-63 2009.

