

By: Duncan

S.B. No. 836

A BILL TO BE ENTITLED

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) The secretary of state may select a county to
22 participate in the program that has previously participated in a
23 similar program.

24 (g) The secretary of state shall operate the program
25 established under Subsection (a) as a pilot program until January
26 1, 2009. If the secretary of state finds that the pilot program is
27 successful, the secretary of state may continue the program after

1 January 1, 2009, as an ongoing program in which a county may begin
2 or continue to participate under this section after that date.

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