

1-1 By: Duncan, Shapiro S.B. No. 836
1-2 (In the Senate - Filed February 22, 2007; March 7, 2007,
1-3 read first time and referred to Committee on State Affairs;
1-4 April 19, 2007, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 1, 1 present not
1-6 voting; April 19, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 836 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) The secretary of state may select a county to
1-54 participate in the program that has previously participated in a
1-55 similar program.

1-56 (g) The secretary of state shall operate the program
1-57 established under Subsection (a) as a pilot program until June 1,
1-58 2009.

1-59 (h) At the conclusion of the pilot program established under
1-60 Subsection (a), but not later than January 1, 2009, the secretary of
1-61 state shall file a report with the legislature. The report may
1-62 include the secretary of state's recommendations on the future use
1-63 of countywide polling places and suggestions for permanent

2-1 statutory authority regarding countywide polling places.

2-2 (i) This section expires June 1, 2009.

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

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