

By: Estes

S.B. No. 1434

A BILL TO BE ENTITLED

AN ACT

relating to the selection of election officers for early voting for the general election for state and county officers.

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

SECTION 1. The heading to Subchapter A, Chapter 85, Election Code, is amended to read as follows:

SUBCHAPTER A. TIME AND PLACE FOR VOTING; ELECTION OFFICERS

SECTION 2. Subchapter A, Chapter 85, Election Code, is amended by adding Section 85.009 to read as follows:

Sec. 85.009. ELECTION OFFICERS FOR GENERAL ELECTION FOR STATE AND COUNTY OFFICERS. (a) The county clerk shall select election officers for the main early voting polling place and any branch polling place from a list provided under Subsection (b), in a manner that provides equal representation for each political party holding a primary election in the county.

(b) Before July of each year, the county chair of each political party holding a primary election in the county shall submit in writing to the county clerk a list of names of persons in order of preference for each early voting polling place who are eligible for selection as an election officer. The county chair may supplement the list of names of persons until the 20th day before early voting begins in case an appointed election officer becomes unable to serve. The county clerk shall appoint the first person meeting the applicable eligibility requirements from the list

1 submitted in compliance with this subsection by the party with the
2 highest number of votes in the county as the presiding election
3 officer of that polling place and the first person meeting the
4 applicable eligibility requirements from the list submitted in
5 compliance with this subsection by the party with the second
6 highest number of votes in the county as the alternate presiding
7 election officer of that polling place. The county clerk shall
8 appoint additional election officers for each polling place in the
9 manner described by Subsection (a). The county clerk may reject the
10 list if the persons whose names are submitted on the list are
11 determined not to meet the applicable eligibility requirements.

12 (c) The county clerk, after making a reasonable effort to
13 consult with the party chair of the appropriate political party or
14 parties, may select election officers for each early voting polling
15 place in which a list is not submitted in a manner that attempts to
16 ensure equal representation for the parties holding a primary
17 election in the county.

18 SECTION 3. Section 85.069, Election Code, is repealed.

19 SECTION 4. This Act takes effect September 1, 2007.