

1-1 By: Estes S.B. No. 1434
1-2 (In the Senate - Filed March 8, 2007; March 20, 2007, read
1-3 first time and referred to Committee on State Affairs;
1-4 April 18, 2007, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 18, 2007,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1434 By: Williams

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

1-10 relating to the selection of election officers for early voting for
1-11 the general election for state and county officers.

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

1-13 SECTION 1. The heading to Subchapter A, Chapter 85,
1-14 Election Code, is amended to read as follows:

1-15 SUBCHAPTER A. TIME AND PLACE FOR VOTING; ELECTION OFFICERS

1-16 SECTION 2. Subchapter A, Chapter 85, Election Code, is
1-17 amended by adding Section 85.009 to read as follows:

1-18 Sec. 85.009. ELECTION OFFICERS FOR GENERAL ELECTION FOR
1-19 STATE AND COUNTY OFFICERS. (a) The county clerk shall select
1-20 election officers for the main early voting polling place and any
1-21 branch polling place from a list provided under Subsection (b), in a
1-22 manner that provides equal representation to the extent possible
1-23 for each political party holding a primary election in the county.

1-24 (b) Before July of each year, the county chair of each
1-25 political party holding a primary election in the county shall
1-26 submit in writing to the county clerk a list of names of persons in
1-27 order of preference for each early voting polling place who are
1-28 eligible for selection as an election officer. The county chair may
1-29 supplement the list of names of persons until the 20th day before
1-30 early voting begins in case an appointed election officer becomes
1-31 unable to serve. The county clerk shall appoint the first person
1-32 meeting the applicable eligibility requirements from the list
1-33 submitted in compliance with this subsection by the party with the
1-34 highest number of votes in the county as the presiding election
1-35 officer of that polling place and the first person meeting the
1-36 applicable eligibility requirements from the list submitted in
1-37 compliance with this subsection by the party with the second
1-38 highest number of votes in the county as the alternate presiding
1-39 election officer of that polling place. The county clerk shall
1-40 appoint additional election officers for each polling place in the
1-41 manner described by Subsection (a). The county clerk may reject the
1-42 list if the persons whose names are submitted on the list are
1-43 determined not to meet the applicable eligibility requirements.

1-44 (c) The county clerk, after making a reasonable effort to
1-45 consult with the party chair of the appropriate political party or
1-46 parties, may select election officers for each early voting polling
1-47 place in which a list is not submitted in a manner that attempts to
1-48 ensure equal representation to the extent possible for the parties
1-49 holding a primary election in the county.

1-50 SECTION 3. Section 85.069, Election Code, is repealed.

1-51 SECTION 4. This Act takes effect September 1, 2007.

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