

By: Berman

H.B. No. 252

A BILL TO BE ENTITLED

AN ACT

relating to authorizing the appointment of students to serve as election clerks.

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

SECTION 1. Section 32.051(c), Election Code, is amended to read as follows:

(c) Except as provided by Section 32.0511, to ~~be~~ eligible to serve as a clerk of an election precinct, a person must be a qualified voter:

(1) of the county, in a countywide election ordered by the governor or a county authority or in a primary election;

(2) of the part of the county in which the election is held, for an election ordered by the governor or a county authority that does not cover the entire county of the person's residence; or

(3) of the political subdivision, in an election ordered by an authority of a political subdivision other than a county.

SECTION 2. Subchapter C, Chapter 32, Election Code, is amended by adding Section 32.0511 to read as follows:

Sec. 32.0511. SPECIAL ELIGIBILITY REQUIREMENTS: STUDENT ELECTION CLERKS. (a) In this section:

(1) "Educational institution" means a:

(A) public secondary school; or

(B) private or parochial secondary school that is

1 accredited by an accreditation body that is a member of the Texas
2 Private School Accreditation Commission.

3 (2) "Student" means a person enrolled in an
4 educational institution or a home-schooled student.

5 (b) A student who is ineligible to serve as a clerk of an
6 election precinct under Section 32.051(c) is eligible to serve as a
7 clerk of an election precinct under this section if the student:

8 (1) at the time of appointment as an election clerk:

9 (A) is a student in good standing at an
10 educational institution or attends a home school that meets the
11 requirements of Section 25.086(a)(1), Education Code;

12 (B) has the equivalent of at least a 2.5 grade
13 point average on a 4.0 grade point average scale; and

14 (C) has the consent of:

15 (i) the principal of the educational
16 institution attended by the student; or

17 (ii) in the case of a home-schooled
18 student, a parent or legal guardian who is responsible for the
19 student's education; and

20 (2) at the time of service as an election clerk:

21 (A) is 16 years of age or older;

22 (B) is a United States citizen; and

23 (C) has completed any training course required by
24 the entity holding the election.

25 (c) A student election clerk serving under this section:

26 (1) is entitled to compensation under Section 32.091
27 in the same manner as other election clerks; and

1 (2) when communicating with a voter who cannot
2 communicate in English, may communicate with the voter in a
3 language the voter and the clerk understand as authorized by
4 Subchapter B, Chapter 61.

5 (d) The secretary of state may initiate or assist in the
6 development of a statewide program promoting the use of student
7 election clerks appointed under this section.

8 SECTION 3. Section 25.087(b), Education Code, is amended to
9 read as follows:

10 (b) A school district shall excuse a student from attending
11 school for:

12 (1) the following purposes, including travel for those
13 purposes:

14 (A) observing religious holy days; ~~[or]~~

15 (B) attending a required court appearance; or

16 (C) serving as an election clerk; or

17 (2) a temporary absence resulting from health care
18 professionals if that student commences classes or returns to
19 school on the same day of the appointment.

20 SECTION 4. Subchapter D, Chapter 33, Education Code, is
21 amended by adding Section 33.092 to read as follows:

22 Sec. 33.092. STUDENT ELECTION CLERKS. A student who is
23 appointed as a student election clerk under Section 32.0511,
24 Election Code, may apply the time served as a student election clerk
25 toward:

26 (1) a requirement for a school project at the
27 discretion of the teacher who assigned the project; or

1 (2) a service requirement for participation in an
2 advanced academic course program at the discretion of the program
3 sponsor or a school-sponsored extracurricular activity at the
4 discretion of the school sponsor.

5 SECTION 5. This Act takes effect September 1, 2009.