

By: Allen

H.B. No. 475

A BILL TO BE ENTITLED

AN ACT

relating to the hours during which the polls are open for early voting by personal appearance.

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

SECTION 1. Section 12.004(d), Election Code, is amended to read as follows:

(d) The ~~[If early voting by personal appearance is required to be conducted for extended hours under Section 85.005(c) or for weekend hours under Section 85.006(e), the]~~ registrar's office shall remain open for providing voter registration information during the ~~[extended hours or weekend]~~ hours that the main early voting polling place is open for voting, including the weekend hours the main early voting polling place is required to be open under Section 85.006(e).

SECTION 2. Section 85.005(a), Election Code, is amended to read as follows:

(a) Early ~~[Except as provided by Subsection (c), in an election in which a county clerk or city secretary is the early voting clerk under Section 83.002 or 83.005, early]~~ voting by personal appearance at the main early voting polling place shall begin at 7 a.m. and end at 7 p.m. [be conducted] on the weekdays of the early voting period ~~[and during the hours that the county clerk's or city secretary's main business office is regularly open for business]~~.

SECTION 3. Section 85.007(a), Election Code, is amended to read as follows:

(a) The election order and the election notice must state:

(1) the date that early voting will begin if under Section 85.001(d) the early voting period is to begin later than the prescribed date;

(2) the regular dates and hours that voting will be conducted under Section 85.005 [~~85.005(b)~~]; and

(3) the dates and hours that voting on Saturday or Sunday is ordered to be conducted under Section 85.006(a).

SECTION 4. Sections 85.064(b) and (c), Election Code, are amended to read as follows:

(b) Early voting by personal appearance at each temporary branch polling place established under Section 85.062(d) shall be conducted on the same days and during the same hours that voting is required to be conducted at the main early voting polling place under Section 85.005. ~~[The authority establishing the temporary branch polling place shall determine the hours during which the voting is to be conducted on those days. The authority shall order voting to be conducted for the same number of hours that voting is required to be conducted on those days at the main early voting polling place under Section 85.005 on receipt of a written request for those hours submitted by at least 15 registered voters of the county. The request must be submitted in time to enable compliance with Section 85.067.]~~

(c) Early voting by personal appearance at a temporary branch polling place other than a temporary branch polling place

1 established under Section 85.062(d) may be conducted on any one or
2 more days [~~and during any hours~~] of the period for early voting by
3 personal appearance, as determined by the authority establishing
4 the branch. Voting on those days must be during the same hours that
5 voting is required to be conducted at the main early voting place
6 under Section 85.005.

7 SECTION 5. Section 85.065(b), Election Code, is amended to
8 read as follows:

9 (b) Voting at a temporary branch polling place may be
10 conducted on any one or more days [~~and during any hours~~] of the
11 period for early voting by personal appearance, as determined by
12 the authority establishing the branch. Voting on those days must be
13 during the same hours that voting is required to be conducted at the
14 main early voting place under Section 85.005. The authority
15 authorized under Section 85.006 to order early voting on a Saturday
16 or Sunday may also order, in the manner prescribed by that section,
17 early voting to be conducted on a Saturday or Sunday at any one or
18 more of the temporary branch polling places.

19 SECTION 6. Sections 85.005(b) through (d), Election Code,
20 are repealed.

21 SECTION 7. The changes in law made by this Act apply only to
22 an election for which early voting begins on or after September 1,
23 2009.

24 SECTION 8. This Act takes effect September 1, 2009.