

By: Zerwas

H.B. No. 496

A BILL TO BE ENTITLED

AN ACT

relating to the procedure for holding a special election.

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

SECTION 1. Chapter 4, Election Code, is amended by adding Section 4.009 to read as follows:

Sec. 4.009. ADDITIONAL NOTICE REQUIREMENTS: SPECIAL ELECTIONS. (a) In addition to any other notice given under Section 4.003, notice of a special election must be given by one or more of the following methods:

(1) by mailing, not earlier than 10 days or not later than five days before the date of the special election, a copy of the notice required under Section 4.003 to each registered voter of the territory that is covered by the special election and is in the jurisdiction of the authority responsible for giving the notice; or

(2) by announcements, to begin not earlier than seven days before the date of the special election:

(A) during hourly news segments on one or more local radio stations broadcasting from the territory that is covered by the election; or

(B) during the evening news broadcasts of one or more local television affiliates broadcasting from the territory that is covered by the election.

(b) An announcement under this section must comply with the content requirements under Section 4.004.

1 SECTION 2. Section 43.002, Election Code, is amended by  
2 adding Subsection (d) to read as follows:

3 (d) Unless the commissioners court consolidates two or more  
4 election precincts under Section 42.008, the designated polling  
5 place for a special election shall be the polling place used in the  
6 most recent general election for state and county officers.

7 SECTION 3. Section 43.004, Election Code, is amended by  
8 adding Subsection (c) to read as follows:

9 (c) Unless the commissioners court consolidates two or more  
10 election precincts under Section 42.008, the designated polling  
11 place for a special election shall be the polling place used in the  
12 most recent general election of the political subdivision.

13 SECTION 4. Section 43.005, Election Code, is amended to  
14 read as follows:

15 Sec. 43.005. DESIGNATION OF LOCATION: CERTAIN SPECIAL  
16 ELECTIONS. The authority establishing election precincts under  
17 Section 42.062 shall, to the extent practicable, designate the  
18 location of the polling place used in the most recent general  
19 election for state and county officers as the polling place for each  
20 precinct.

21 SECTION 5. Section 43.061(b), Election Code, is amended to  
22 read as follows:

23 (b) If the location of a polling place changes after notice  
24 of an election is given under Section 4.003 or 4.009, the county  
25 clerk shall give notice of the change not later than the earlier of:

- 26 (1) 24 hours after the location is changed; or  
27 (2) 72 hours before the polls open on election day.

1 SECTION 6. This Act takes effect September 1, 2009.