

AN ACT

relating to the appointment of election judges.

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

SECTION 1. Sections 32.002(a), (b), and (c), Election Code, are amended to read as follows:

(a) The commissioners court [~~at its July term~~] shall appoint the election judges for each regular county election precinct:

(1) at its July term in a county with a population of over 500,000; or

(2) at its August term in a county with a population of 500,000 or less.

(b) Judges appointed under Subsection (a) serve for a term of one year [~~beginning on August 1 following the appointment~~], except that the commissioners court by order recorded in its minutes may provide for a term of two years. A judge's term begins:

(1) August 1 following appointment in a county to which Subsection (a)(1) applies; or

(2) September 1 following appointment in a county to which Subsection (a)(2) applies.

(c) The presiding judge and alternate presiding judge must be affiliated or aligned with different political parties, subject to this subsection. Before July of each year in a county to which Subsection (a)(1) applies or before August of each year in a county to which Subsection (a)(2) applies, the county chair of a political

1 party whose candidate for governor received the highest or second
2 highest number of votes in the county in the most recent
3 gubernatorial general election shall submit in writing to the
4 commissioners court a list of names of persons in order of
5 preference for each precinct who are eligible for appointment as an
6 election judge. The county chair may supplement the list of names
7 of persons until the 20th day before a general election or the 15th
8 day before a special election in case an appointed election judge
9 becomes unable to serve. The commissioners court shall appoint the
10 first person meeting the applicable eligibility requirements from
11 the list submitted in compliance with this subsection by the party
12 with the highest number of votes in the precinct as the presiding
13 judge and the first person meeting the applicable eligibility
14 requirements from the list submitted in compliance with this
15 subsection by the party with the second highest number of votes in
16 the precinct as the alternate presiding judge. The commissioners
17 court may reject the list if the persons whose names are submitted
18 on the list are determined not to meet the applicable eligibility
19 requirements.

20 SECTION 2. The term of an election judge serving on the
21 effective date of this Act expires:

22 (1) September 1, 2010, if the judge serves in a county
23 with a population of 500,000 or less and the judge's term would
24 expire August 1, 2010, under Section 32.002(b), Election Code, as
25 that section existed before amendment by this Act;

26 (2) August 1, 2010, if the judge serves in a county
27 with a population of over 500,000 and the judge's term would expire

1 August 1, 2010, under Section 32.002(b), Election Code, as that
2 section existed before amendment by this Act;

3 (3) September 1, 2011, if the judge serves in a county
4 with a population of 500,000 or less and the judge's term would
5 expire August 1, 2011, under Section 32.002(b), Election Code, as
6 that section existed before amendment by this Act; or

7 (4) August 1, 2011, if the judge serves in a county
8 with a population of over 500,000 and the judge's term would expire
9 August 1, 2011, under Section 32.002(b), Election Code, as that
10 section existed before amendment by this Act.

11 SECTION 3. This Act takes effect January 1, 2010.

President of the Senate

Speaker of the House

I certify that H.B. No. 1145 was passed by the House on April 9, 2009, by the following vote: Yeas 148, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1145 was passed by the Senate on May 26, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor