1-1 By: Brown of Kaufman (Senate Sponsor - Fraser)   H.B. No. 1145
1-2   (In the Senate - Received from the House April 14, 2009;
1-3 April 27, 2009, read first time and referred to Committee on State
1-4 Affairs; May 15, 2009, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 15, 2009, sent to printer.)

1-6   A BILL TO BE ENTITLED
1-7   AN ACT

1-8 relating to the appointment of election judges.
1-9   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-10   SECTION 1. Sections 32.002(a), (b), and (c), Election Code,
1-11 are amended to read as follows:
1-12   (a) The commissioners court [at its July term] shall appoint
1-13 the election judges for each regular county election precinct:
1-14   (1) at its July term in a county with a population of
1-15 over 500,000; or
1-16   (2) at its August term in a county with a population of
1-17 500,000 or less.
1-18   (b) Judges appointed under Subsection (a) serve for a term
1-19 of one year [beginning on August 1 following the appointment],
1-20 except that the commissioners court by order recorded in its
1-21 minutes may provide for a term of two years. A judge's term begins:
1-22   (1) August 1 following appointment in a county to
1-23 which Subsection (a)(1) applies; or
1-24   (2) September 1 following appointment in a county to
1-25 which Subsection (a)(2) applies.
1-26   (c) The presiding judge and alternate presiding judge must
1-27 be affiliated or aligned with different political parties, subject
1-28 to this subsection. Before July of each year in a county to which
1-29 Subsection (a)(1) applies or before August of each year in a county
1-30 to which Subsection (a)(2) applies, the county chair of a political
1-31 party whose candidate for governor received the highest or second
1-32 highest number of votes in the county in the most recent
1-33 gubernatorial general election shall submit in writing to the
1-34 commissioners court a list of names of persons in order of
1-35 preference for each precinct who are eligible for appointment as an
1-36 election judge. The county chair may supplement the list of names
1-37 of persons until the 20th day before a general election or the 15th
1-38 day before a special election in case an appointed election judge
1-39 becomes unable to serve. The commissioners court shall appoint the
1-40 first person meeting the applicable eligibility requirements from
1-41 the list submitted in compliance with this subsection by the party
1-42 with the highest number of votes in the precinct as the presiding
1-43 judge and the first person meeting the applicable eligibility
1-44 requirements from the list submitted in compliance with this
1-45 subsection by the party with the second highest number of votes in
1-46 the precinct as the alternate presiding judge. The commissioners
1-47 court may reject the list if the persons whose names are submitted
1-48 on the list are determined not to meet the applicable eligibility
1-49 requirements.
1-50   SECTION 2. The term of an election judge serving on the
1-51 effective date of this Act expires:
1-52   (1) September 1, 2010, if the judge serves in a county
1-53 with a population of 500,000 or less and the judge's term would
1-54 expire August 1, 2010, under Section 32.002(b), Election Code, as
1-55 that section existed before amendment by this Act;
1-56   (2) August 1, 2010, if the judge serves in a county
1-57 with a population of over 500,000 and the judge's term would expire
1-58 August 1, 2010, under Section 32.002(b), Election Code, as that
1-59 section existed before amendment by this Act;
1-60   (3) September 1, 2011, if the judge serves in a county
1-61 with a population of 500,000 or less and the judge's term would
1-62 expire August 1, 2011, under Section 32.002(b), Election Code, as
1-63 that section existed before amendment by this Act; or
1-64   (4) August 1, 2011, if the judge serves in a county

2-1 with a population of over 500,000 and the judge's term would expire
2-2 August 1, 2011, under Section 32.002(b), Election Code, as that
2-3 section existed before amendment by this Act.
2-4   SECTION 3. This Act takes effect January 1, 2010.

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