

By: Farias

H.B. No. 2409

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the conduct of early voting by personal appearance on  
3 Saturday.

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

5 SECTION 1. Section 85.001(b), Election Code, is amended to  
6 read as follows:

7 (b) For a special runoff election for the office of state  
8 senator or state representative or for a runoff primary election,  
9 the period begins on the 11th [~~10th~~] day before election day.

10 SECTION 2. Sections 85.006(a), (b), and (d), Election Code,  
11 are amended to read as follows:

12 (a) Except as provided by Subsection (b), the authority  
13 ordering an election shall [~~may~~] order early voting by personal  
14 appearance at the main early voting polling place to be conducted on  
15 one or more Saturdays [~~or Sundays~~] during the early voting period  
16 and may order early voting by personal appearance at the main early  
17 voting polling place to be conducted on one or more Sundays during  
18 the early voting period.

19 (b) In an election in which a county clerk or city secretary  
20 is the early voting clerk under Section 83.002 or 83.005, only the  
21 early voting clerk may order voting under Subsection (a) [~~on a~~  
22 ~~Saturday or Sunday~~]. An order by the [~~The~~] clerk must be [~~do so by~~]  
23 written [~~order~~].

24 (d) The authority authorized to order early voting on a

1 ~~[Saturday or]~~ Sunday under this section ~~[Subsection (a) or (b)]~~  
2 shall order the voting on at least one Sunday ~~[under the applicable~~  
3 ~~subsection]~~ on receipt of a written request that voting be  
4 conducted on a Sunday submitted by at least 15 registered voters of  
5 the territory covered by the election if the~~[. The]~~ request is  
6 ~~[must be]~~ submitted in time to enable compliance with Section  
7 85.007. The authority is not required to order the voting on a  
8 particular date specified by the request but shall order the voting  
9 on at least one ~~[Saturday if a Saturday is requested and on at least~~  
10 ~~one]~~ Sunday ~~[if a Sunday is requested]~~.

11 SECTION 3. The changes in law made by this Act apply only to  
12 an election ordered on or after the effective date of this Act. An  
13 election ordered before the effective date of this Act is governed  
14 by the law in effect when the election was ordered, and the former  
15 law continues in effect for that purpose.

16 SECTION 4. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2009.