

By: Farias

H.B. No. 3043

A BILL TO BE ENTITLED

AN ACT

relating to the conduct of early voting by personal appearance on Saturday in general and primary elections.

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

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

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

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

(a) Except as provided by Subsection (b):

(1) [7] the authority ordering a general or primary [an] election shall [may] order early voting by personal appearance at the main early voting polling place to be conducted on one or more Saturdays [or Sundays] during the early voting period and may order early voting by personal appearance at the main early voting polling place to be conducted on one or more Sundays during the early voting period; and

(2) the authority ordering a special election may order early voting by personal appearance at the main early voting polling place to be conducted on one or more Saturdays or Sundays

1 during the early voting period.

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

7 (d) The authority not otherwise required [~~authorized~~] to
8 order early voting on a Saturday or Sunday under this section
9 [~~Subsection (a) or (b)~~] shall order the voting [~~under the~~
10 ~~applicable subsection~~] on receipt of a written request submitted by
11 at least 15 registered voters of the territory covered by the
12 election. The request must be submitted in time to enable
13 compliance with Section 85.007. The authority is not required to
14 order the voting on a particular date specified by the request but
15 shall order the voting on at least one Saturday if a Saturday is
16 requested and on at least one Sunday if a Sunday is requested.

17 SECTION 3. The changes in law made by this Act apply only to
18 an election ordered on or after the effective date of this Act. An
19 election ordered before the effective date of this Act is governed
20 by the law in effect when the election was ordered, and the former
21 law continues in effect for that purpose.

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