

By: Smith of Tarrant

H.B. No. 4354

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a program allowing for countywide voting centers as an
3 alternative election system.

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

5 SECTION 1. Subchapter A, Chapter 43, Election Code, is
6 amended by adding Section 43.007 to read as follows:

7 Sec. 43.007. COUNTYWIDE VOTING CENTERS. (a) A county may
8 conduct its elections under this section as an alternative to the
9 general election provisions of this chapter.

10 (b) The secretary of state shall establish rules for
11 counties to allow a commissioners court to eliminate county
12 election precincts and establish countywide voting centers for:

13 (1) each general election for state and county
14 officers;

15 (2) each countywide election held on the uniform
16 election date in May; and

17 (3) each election of a political subdivision located
18 in the county that is held jointly with an election described by
19 Subdivision (1) or (2).

20 (c) The commissioners court of a county that desires to use
21 countywide voting centers as an alternative election system shall
22 hold a public hearing on the proposed election system change. The
23 county shall make a reasonable effort to provide notice of the
24 hearing to other political subdivisions within the jurisdiction of

1 the county. A county that has previously used countywide voting
2 centers as an alternative election system is not required to hold a
3 hearing under this subsection.

4 (d) At the request of the commissioners court, the secretary
5 of state may provide for an audit of the direct recording electronic
6 voting units before and after the election, and during the election
7 to the extent such an audit is practicable.

8 (e) The secretary of state by rule shall require a county
9 that desires to use the alternative election system to:

10 (1) implement a computerized voter registration list
11 that allows an election officer at the voting center to verify that
12 a voter has not previously voted in the election;

13 (2) use direct recording electronic voting machines or
14 other state-certified voting equipment that has the appropriate
15 capabilities to permit the use of countywide voting centers; and

16 (3) document that the county possesses the appropriate
17 technological capabilities as determined by the secretary of state.

18 (f) Each countywide voting center must allow a voter to vote
19 in the same elections in which the voter would be entitled to vote
20 in the county election precinct in which the voter resides.

21 (g) In selecting countywide voting centers, a county must
22 adopt a methodology for determining where each voting center will
23 be located. The total number of countywide voting centers may not
24 be less than 50 percent of the number of precinct polling places
25 that would otherwise be located in the county under this chapter.

26 (h) A county opting to use this alternative election system
27 for the first time must establish a plan to provide notice informing

1 voters of the changes made to the locations of polling places under
2 the program. The plan must require that notice of the location of
3 the nearest countywide voting center be posted on election day at
4 each polling place used in the previous general election for state
5 and county officers that is not used as a countywide voting center.

6 (i) In creating the plan under Subsection (h), the county
7 may solicit input from organizations located within the county who
8 represent minority voters.

9 SECTION 2. Section 32.002, Election Code, is amended by
10 adding Subsection (g) to read as follows:

11 (g) If election precincts are replaced with countywide
12 voting centers under the alternative election system permitted by
13 Section 43.007, the commissioners court shall make a reasonable
14 effort to appoint the election judges for each voting center from
15 among the judges appointed for the precincts located in the area
16 served by the voting center.

17 SECTION 3. Section 85.001, Election Code, is amended by
18 adding Subsection (f) to read as follows:

19 (f) A county that implements countywide voting centers
20 under Section 43.007 may extend the early voting period so that the
21 period for early voting by personal appearance begins on the 17th
22 day before election day and continues through the day before
23 election day.

24 SECTION 4. This Act takes effect September 1, 2009.