

By: Duncan

S.B. No. 1310

A BILL TO BE ENTITLED

AN ACT

relating to a program allowing for countywide voting locations in certain elections.

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

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

Sec. 43.007. COUNTYWIDE POLLING PLACE PROGRAM. (a) The secretary of state shall implement a program to allow each commissioners court participating in the program to eliminate county election precinct polling places and establish countywide polling places for:

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

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

(3) each election on a proposed constitutional amendment; and

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

(b) The commissioners court of a county that desires to participate in the program authorized by this section shall hold a public hearing on the county's participation in the program. The commissioners court shall submit a transcript or electronic

1 recording of the public comments made at the hearing to the
2 secretary of state. A county that has previously participated in a
3 similar program and held a public hearing on the county's
4 participation in that program is not required to hold a hearing
5 under this subsection.

6 (c) In conducting the program, the secretary of state shall
7 provide for an audit of the direct recording electronic voting
8 units before and after the election, and during the election to the
9 extent such an audit is practicable.

10 (d) The secretary of state shall select to participate in
11 the program each county that:

12 (1) has held a public hearing under Subsection (b);

13 (2) has implemented a computerized voter registration
14 list that allows an election officer at the polling place to verify
15 that a voter has not previously voted in the election;

16 (3) uses direct recording electronic voting machines;

17 and

18 (4) is determined by the secretary of state to have the
19 appropriate technological capabilities.

20 (e) Each countywide polling place must allow a voter to vote
21 in the same elections in which the voter would be entitled to vote
22 in the county election precinct in which the voter resides.

23 (f) In selecting countywide polling places, a county must
24 adopt a methodology for determining where each polling place will
25 be located. The total number of countywide polling places may not
26 be less than 50 percent of the number of precinct polling places
27 that would otherwise be located in the county.

1 (g) A county participating in the program must establish a
2 plan to provide notice informing voters of the changes made to the
3 locations of polling places under the program. The plan must
4 require that notice of the location of the nearest countywide
5 polling place be posted on election day at each polling place used
6 in the previous general election for state and county officers that
7 is not used as a countywide polling place.

8 (h) In creating the plan under Subsection (g), the county
9 shall solicit input from organizations or persons located within
10 the county who represent minority voters.

11 (i) The secretary of state may select a county to
12 participate in the program that has previously participated in a
13 similar program.

14 (j) Not later than January 1 of each odd-numbered year, the
15 secretary of state shall file a report with the legislature. The
16 report may include the secretary of state's recommendations on the
17 future use of countywide polling places and suggestions for
18 statutory amendment regarding the use of countywide polling places.

19 SECTION 2. This Act takes effect September 1, 2009.