

1-1 By: Duncan S.B. No. 1310  
1-2 (In the Senate - Filed March 3, 2009; March 17, 2009, read  
1-3 first time and referred to Committee on State Affairs;  
1-4 March 31, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 31, 2009,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1310 By: Duncan

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to a program allowing for countywide voting locations in  
1-11 certain elections.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter A, Chapter 43, Election Code, is  
1-14 amended by adding Section 43.007 to read as follows:

1-15 Sec. 43.007. COUNTYWIDE POLLING PLACE PROGRAM. (a) The  
1-16 secretary of state shall implement a program to allow each  
1-17 commissioners court participating in the program to eliminate  
1-18 county election precinct polling places and establish countywide  
1-19 polling places for:

1-20 (1) each general election for state and county  
1-21 officers;

1-22 (2) each countywide election held on the uniform  
1-23 election date in May;

1-24 (3) each election on a proposed constitutional  
1-25 amendment; and

1-26 (4) each election of a political subdivision located  
1-27 in the county that is held jointly with an election described by  
1-28 Subdivision (1), (2), or (3).

1-29 (b) The commissioners court of a county that desires to  
1-30 participate in the program authorized by this section shall hold a  
1-31 public hearing on the county's participation in the program. The  
1-32 commissioners court shall submit a transcript or electronic  
1-33 recording of the public comments made at the hearing to the  
1-34 secretary of state. A county that has previously participated in a  
1-35 similar program and held a public hearing on the county's  
1-36 participation in that program is not required to hold a hearing  
1-37 under this subsection.

1-38 (c) In conducting the program, the secretary of state shall  
1-39 provide for an audit of the direct recording electronic voting  
1-40 units before and after the election, and during the election to the  
1-41 extent such an audit is practicable.

1-42 (d) The secretary of state shall select to participate in  
1-43 the program each county that:

1-44 (1) has held a public hearing under Subsection (b);

1-45 (2) has implemented a computerized voter registration  
1-46 list that allows an election officer at the polling place to verify  
1-47 that a voter has not previously voted in the election;

1-48 (3) uses direct recording electronic voting machines;  
1-49 and

1-50 (4) is determined by the secretary of state to have the  
1-51 appropriate technological capabilities.

1-52 (e) Each countywide polling place must allow a voter to vote  
1-53 in the same elections in which the voter would be entitled to vote  
1-54 in the county election precinct in which the voter resides.

1-55 (f) In selecting countywide polling places, a county must  
1-56 adopt a methodology for determining where each polling place will  
1-57 be located. The total number of countywide polling places may not  
1-58 be less than 50 percent of the number of precinct polling places  
1-59 that would otherwise be located in the county.

1-60 (g) A county participating in the program must establish a  
1-61 plan to provide notice informing voters of the changes made to the  
1-62 locations of polling places under the program. The plan must  
1-63 require that notice of the location of the nearest countywide

2-1 polling place be posted on election day at each polling place used  
2-2 in the previous general election for state and county officers that  
2-3 is not used as a countywide polling place.

2-4 (h) In creating the plan under Subsection (g), the county  
2-5 shall solicit input from organizations or persons located within  
2-6 the county who represent minority voters.

2-7 (i) The secretary of state may select a county to  
2-8 participate in the program that has previously participated in a  
2-9 similar program.

2-10 (j) Not later than January 1 of each odd-numbered year, the  
2-11 secretary of state shall file a report with the legislature. The  
2-12 report may include the secretary of state's recommendations on the  
2-13 future use of countywide polling places and suggestions for  
2-14 statutory amendment regarding the use of countywide polling places.

2-15 SECTION 2. This Act takes effect September 1, 2009.

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