

By: Walle

H.B. No. 2298

A BILL TO BE ENTITLED

AN ACT

relating to the hours during which the polls are open for early voting by personal appearance.

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

SECTION 1. Section 12.004(d), Election Code, is amended to read as follows:

(d) The [~~If early voting by personal appearance is required to be conducted for extended hours under Section 85.005(c) or for weekend hours under Section 85.006(e), the~~] registrar's office shall remain open for providing voter registration information during the [~~extended hours or weekend~~] hours that the main early voting polling place is open for voting.

SECTION 2. Section 85.005, Election Code, is amended by amending Subsections (a) and (c) and adding Subsection (c-1) to read as follows:

(a) Except as provided by Subsection (c), (c-1), or (d), in an election in which a county clerk or city secretary is the early voting clerk under Section 83.002 or 83.005, early voting by personal appearance at the main early voting polling place shall be conducted on the weekdays of the early voting period and during the hours that the county clerk's or city secretary's main business office is regularly open for business.

(c) In a county with a population of 100,000 or more but less than three million, the voting in a primary election or the general

1 election for state and county officers shall be conducted at the  
2 main early voting polling place for at least 12 hours on each  
3 weekday of the last week of the early voting period, and the voting  
4 in a special election ordered by the governor shall be conducted at  
5 the main early voting polling place for at least 12 hours on each of  
6 the last two days of the early voting period. Voting shall be  
7 conducted in accordance with this subsection in those elections in  
8 a county with a population under 100,000 on receipt by the early  
9 voting clerk of a written request for the extended hours submitted  
10 by at least 15 registered voters of the county. The request must be  
11 submitted in time to enable compliance with Section 85.067.

12 (c-1) In a county with a population of three million or  
13 more, the voting in a primary election, the general election for  
14 state and county officers, or a special election ordered by the  
15 governor shall be conducted at the main early voting polling place  
16 from 7 a.m. until 7 p.m. on each weekday of the early voting period.

17 SECTION 3. Section 85.006(e), Election Code, is amended to  
18 read as follows:

19 (e) In a primary election or the general election for state  
20 and county officers in a county with a population of 100,000 or  
21 more, the early voting clerk shall order personal appearance voting  
22 at the main early voting polling place to be conducted for at least  
23 12 hours on the last Saturday, from 7 a.m. to 7 p.m. on the last  
24 Saturday in a county with a population of three million or more, and  
25 for at least five hours on the last Sunday of the early voting  
26 period. The early voting clerk shall order voting to be conducted  
27 at those times in those elections in a county with a population

1 under 100,000 on receipt of a written request for those hours  
2 submitted by at least 15 registered voters of the county. The  
3 request must be submitted in time to enable compliance with Section  
4 85.007. This subsection supersedes any provision of this subchapter  
5 to the extent of any conflict.

6 SECTION 4. The changes in law made by this Act apply only to  
7 an election for which early voting begins on or after September 1,  
8 2011.

9 SECTION 5. This Act takes effect September 1, 2011.