

By: Harper-Brown

H.B. No. 3751

A BILL TO BE ENTITLED

AN ACT

relating to the presiding officers of the early voting ballot board and a recount committee used in certain elections.

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

SECTION 1. Section 87.002, Election Code, is amended by amending Subsections (a) and (b) and adding Subsection (e) to read as follows:

(a) Except as provided by Subsection (e), the ~~[The]~~ early voting ballot board consists of a presiding judge and at least two other members.

(b) Except as provided by Subsection (d) or (e), the presiding judge is appointed in the same manner as a presiding election judge. Except as provided by Subsections ~~[Subsection]~~ (c) and (e), the other members are appointed by the presiding judge in the same manner as the precinct election clerks.

(e) This subsection applies only to the general election for state and county officers held in a county with a population of more than 100,000. The county election board shall appoint a panel of three persons to perform the duties of the presiding judge under this chapter. The county election board shall appoint to the panel two members from the list submitted under Subsection (c) by the party whose nominee for governor received the greatest number of votes in the county in the most recent gubernatorial election and one member from the list submitted by the party whose nominee for

1 governor received the second greatest number of votes in the county
2 in the most recent gubernatorial election. The function of the
3 presiding judge under this chapter is performed by the panel as
4 determined by majority vote of the panel, but the panel may
5 designate one member as chair over procedural matters.

6 SECTION 2. Subchapter A, Chapter 213, Election Code, is
7 amended by adding Section 213.0021 to read as follows:

8 Sec. 213.0021. PANEL TO ACT AS RECOUNT COMMITTEE CHAIR FOR
9 CERTAIN ELECTIONS. (a) Notwithstanding Section 213.002, in the
10 general election for state and county officers in a county with a
11 population of more than 100,000, the recount supervisor shall
12 appoint a panel of three persons to perform the duties of the
13 recount committee chair under this title. The recount supervisor
14 shall appoint:

15 (1) two members of the panel from a list submitted by
16 the county chair of the party whose nominee for governor received
17 the greatest number of votes in the county in the most recent
18 gubernatorial election; and

19 (2) one member of the panel from a list submitted by
20 the county chair of the party whose nominee for governor received
21 the second greatest number of votes in the county in the most recent
22 gubernatorial election.

23 (b) A decision of the panel is made by majority vote of the
24 members of the panel. The panel may select one member as chair over
25 procedural matters.

26 SECTION 3. This Act takes effect September 1, 2011.