

**BILL ANALYSIS**

C.S.H.B. 630  
By: Larson  
Elections  
Committee Report (Substituted)

**BACKGROUND AND PURPOSE**

Under current law, a majority of a party's county executive committee membership must be present to constitute a quorum for a vote to fill a precinct chair vacancy. In many counties, precinct chair vacancies occur frequently in both parties, and there are reports that it has been challenging to garner a quorum to vote to fill these vacancies. C.S.H.B. 630 seeks to remedy this problem by authorizing each party to adopt rules to determine a percentage of executive committee membership that constitutes a quorum for purposes of filling a precinct chair vacancy.

**RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

**ANALYSIS**

C.S.H.B. 630 amends the Election Code to clarify that a majority of a political party's county executive committee membership is required to participate in filling a vacancy in the office of county chair. The bill requires each party to adopt rules to determine a percentage of committee membership that constitutes a quorum for purposes of filling a county precinct chair vacancy. The bill requires a person to receive a favorable vote of a majority of the members voting in order to be elected and removes a provision authorizing the office to be filled without participation of the majority of the committee membership under certain conditions. The bill specifies that the prohibition against filling a vacancy before the beginning of the term of office in which the vacancy occurs applies to a vacancy in the office of county chair.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 630 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Sections 171.024(b), (c), and (d), Election Code, are amended to read as follows:

(b) A [~~Except as provided by Subsection (e),—a~~] majority of the committee's membership must participate in filling a

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Sections 171.024(b), (c), and (d), Election Code, are amended to read as follows:

(b) A [~~Except as provided by Subsection (e),—a~~] majority of the committee's membership must participate in filling a

vacancy in the office of county chair. To be elected, a person must receive a favorable vote of a majority of the members voting.

(c) Each party shall adopt rules to provide for the filling of a [A] vacancy in the office of precinct chair ~~[may be filled without participation of the majority of the committee membership if only one person is a candidate to fill the vacancy and the person:~~

~~[(1) was elected as a precinct chair in the most recent primary election in the county; and~~

~~[(2) is eligible to serve in the vacant office].~~

(d) A vacancy in the office of county chair may not be filled before the beginning of the term of office in which the vacancy occurs.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

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(c) Each party shall adopt rules to determine a percentage of committee membership that constitutes a quorum for purposes of filling a [A] vacancy in the office of precinct chair. To be elected, a person must receive a favorable vote of a majority of the members voting ~~[may be filled without participation of the majority of the committee membership if only one person is a candidate to fill the vacancy and the person:~~

~~[(1) was elected as a precinct chair in the most recent primary election in the county; and~~

~~[(2) is eligible to serve in the vacant office].~~

(d) A vacancy in the office of county chair may not be filled before the beginning of the term of office in which the vacancy occurs.

SECTION 2. Same as introduced version.