

AN ACT

relating to the filling of vacancies on a political party's county executive committee and the conduct of certain primary elections in the absence of a county executive committee.

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

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

(b) A [~~Except as provided by Subsection (c), 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 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].~~

SECTION 2. Section 171.025, Election Code, is amended by adding Subsection (e) to read as follows:

(e) In a county with a population of less than 5,000, a

1 vacancy in the office of county chair may be filled by appointment
2 by the state chair of a person who is not a resident of the county
3 if:

4 (1) the person resides in a county in this state with a
5 population of less than 5,000 that is adjacent to the county in
6 which the vacancy occurs; and

7 (2) the secretary of state approves the appointment of
8 the person under procedures prescribed by the secretary of state.

9 SECTION 3. Subchapter E, Chapter 172, Election Code, is
10 amended by adding Section 172.128 to read as follows:

11 Sec. 172.128. ALTERNATIVE PRIMARY PROCEDURE FOR COUNTIES
12 WITHOUT COUNTY PARTY LEADERSHIP. (a) This section applies only to
13 a primary election that is required for the nomination of a
14 political party to a statewide office.

15 (b) The state chair of a political party may contract with a
16 county clerk, county tax assessor-collector, or county elections
17 administrator, as appropriate, to hold a primary election in a
18 county in which:

19 (1) the office of county chair is vacant and there is
20 an insufficient number of members serving on the county executive
21 committee to fill a vacancy on the committee; and

22 (2) the party is unable to establish a temporary
23 executive committee under Section 171.027.

24 SECTION 4. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

H.B. No. 630

1 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 630 was passed by the House on April 22, 2013, by the following vote: Yeas 145, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 630 on May 17, 2013, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 630 on May 26, 2013, by the following vote: Yeas 134, Nays 0, 1 present, not voting.

Chief Clerk of the House

H.B. No. 630

I certify that H.B. No. 630 was passed by the Senate, with amendments, on May 15, 2013, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 630 on May 26, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor