

By: Aycock

H.B. No. 2106

A BILL TO BE ENTITLED

AN ACT

relating to the early voting period for the general primary and general elections for state and county officers.

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

SECTION 1. Section 85.001(a), Election Code, is amended to read as follows:

(a) The period for early voting by personal appearance begins on the 10th [~~17th~~] day before election day and continues through the fourth day before election day, except as otherwise provided by this section.

SECTION 2. Sections 85.005(a), (b), and (c), Election Code, are amended to read as follows:

(a) Except as provided by Subsection (c), 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 each weekday and Saturday [~~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.

(b) In an election to which Subsection (a) does not apply, early voting by personal appearance at the main early voting polling place shall be conducted at least eight hours each weekday and Saturday of the early voting period that is not a legal state holiday unless the territory covered by the election has fewer than

1 1,000 registered voters. In that case, the voting shall be
2 conducted at least three hours each day. The authority ordering the
3 election, or the county clerk if that person is the early voting
4 clerk, shall determine which hours the voting is to be conducted.

5 (c) In a county with a population of 100,000 or more, the
6 voting in a primary election or the general election for state and
7 county officers shall be conducted at the main early voting polling
8 place for at least 12 hours on each weekday and Saturday [~~of the~~
9 ~~last week~~] of the early voting period, and the voting in a special
10 election ordered by the governor shall be conducted at the main
11 early voting polling place for at least 12 hours on each of the last
12 two days of the early voting period. Voting shall be conducted in
13 accordance with this subsection in those elections in a county with
14 a population under 100,000 on receipt by the early voting clerk of a
15 written request for the extended hours submitted by at least 50 [~~15~~]
16 registered voters of the county. The request must be submitted in
17 time to enable compliance with Section 85.067.

18 SECTION 3. Section 85.006, Election Code, is amended to
19 read as follows:

20 Sec. 85.006. VOTING ON [~~SATURDAY OR~~] SUNDAY. (a) Except as
21 provided by Subsection (b), the authority ordering an election may
22 order early voting by personal appearance at the main early voting
23 polling place to be conducted on Sunday [~~one or more Saturdays or~~
24 ~~Sundays~~] during the early voting period.

25 (b) In an election in which a county clerk or city secretary
26 is the early voting clerk under Section 83.002 or 83.005, only the
27 early voting clerk may order voting on a [~~Saturday or~~] Sunday. The

1 clerk must do so by written order.

2 (c) The authority ordering voting on a ~~[Saturday or]~~ Sunday
3 shall determine the hours during which voting is to be conducted.

4 (d) The authority authorized to order early voting on a
5 ~~[Saturday or]~~ Sunday under Subsection (a) or (b) shall order the
6 voting under the applicable subsection on receipt of a written
7 request submitted by at least 50 ~~[15]~~ registered voters of the
8 territory covered by the election. The request must be submitted in
9 time to enable compliance with Section 85.007. ~~[The authority is
10 not required to order the voting on a particular date specified by
11 the request but shall order the voting on at least one Saturday if a
12 Saturday is requested and on at least one Sunday if a Sunday is
13 requested.]~~

14 (e) In a primary election or the general election for state
15 and county officers in a county with a population of 100,000 or
16 more, the early voting clerk shall order personal appearance voting
17 at the main early voting polling place to be conducted for at least
18 ~~[12 hours on the last Saturday and for at least]~~ five hours on the
19 ~~[last]~~ Sunday during ~~[of]~~ the early voting period. The early voting
20 clerk shall order voting to be conducted at those times in those
21 elections in a county with a population under 100,000 on receipt of
22 a written request for those hours submitted by at least 50 ~~[15]~~
23 registered voters of the county. The request must be submitted in
24 time to enable compliance with Section 85.007. This subsection
25 supersedes any provision of this subchapter to the extent of any
26 conflict.

27 SECTION 4. Sections 85.007(a) and (b), Election Code, are

1 amended to read as follows:

2 (a) The election order and the election notice must state:

3 (1) the date that early voting will begin if under
4 Section 85.001(d) the early voting period is to begin later than the
5 prescribed date;

6 (2) the regular dates and hours that voting will be
7 conducted under Section 85.005(b); and

8 (3) the dates and hours that voting on [~~Saturday or~~]
9 Sunday is ordered to be conducted under Section 85.006(a).

10 (b) The early voting clerk shall post notice for each
11 election stating the dates and hours that voting on a [~~Saturday or~~]
12 Sunday is ordered to be conducted under Section 85.006(b).

13 SECTION 5. Sections 85.001(b) and (c), Election Code, are
14 repealed.

15 SECTION 6. This Act takes effect September 1, 2013.