

By: Capriglione

H.B. No. 2931

Substitute the following for H.B. No. 2931:

By: Morrison

C.S.H.B. No. 2931

A BILL TO BE ENTITLED

AN ACT

relating to the authority of an election judge to have certain persons removed from a polling place.

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

SECTION 1. Subchapter D, Chapter 32, Election Code, is amended by adding Section 32.076 to read as follows:

Sec. 32.076. REMOVAL OF WATCHER, ALTERNATE PRESIDING JUDGE, OR CLERK FROM POLLING PLACE. (a) A presiding judge may not remove a watcher, alternate presiding judge, or election clerk from a polling place unless:

(1) the presiding judge believes that the watcher, alternate presiding judge, or clerk has violated a law, and has communicated to that person, in a written and signed document, the specific law the presiding judge believes the person violated; or

(2) the removal is pursuant to an arrest warrant issued by the presiding judge under Section 32.075(c).

(b) A presiding judge shall, as soon as possible after a removal under this section, inform the county clerk, county elections administrator, or similar official administering the election for a political subdivision of the removal.

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

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1 Act takes effect September 1, 2013.