

By: Morrison

H.B. No. 3100

A BILL TO BE ENTITLED

AN ACT

relating to the service of central vote counting station officials under an election services contract or in a joint election.

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

SECTION 1. Subchapter D, Chapter 31, Election Code, is amended by adding Section 31.101 to read as follows:

Sec. 31.101. CENTRAL COUNTING STATION OFFICIALS. (a) In this section, "central counting station official" means the manager, tabulation supervisor, or presiding judge of a central counting station.

(b) An election services contract may provide that the county election officer or a county election officer's deputy may serve as a central counting station official.

(c) If the county election officer is to serve as or to provide a deputy to serve as a central counting station official, the officer's written order appointing a permanent or temporary deputy of the officer as a central counting station official is sufficient, without the necessity for an appointment by any other authority.

(d) A permanent deputy of the county election officer is not subject to the eligibility requirements of this subsection. For a temporary deputy of the officer to be eligible for appointment as a central counting station official, the deputy must have the qualifications for appointment as a presiding election judge,

1 except that:

2           (1) an appointee is not required to be a qualified  
3 voter of any particular territory other than the county served by  
4 the county election officer or the political subdivision in which  
5 the election is held; and

6           (2) if an employee of the contracting political  
7 subdivision is appointed, the appointee's status as an employee  
8 does not disqualify the appointee from serving in an election in  
9 which an officer of the political subdivision is a candidate.

10          (e) The requirements of Subchapter A, Chapter 127, apply to  
11 the extent they do not conflict with this section.

12          SECTION 2. Section 271.005, Election Code, is amended by  
13 adding Subsection (c) to read as follows:

14          (c) As used in this section, "election officer" includes a  
15 central counting station manager, tabulation supervisor, and  
16 presiding judge of the central counting station.

17          SECTION 3. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2013.