

By: Miller of Fort Bend

H.B. No. 2021

A BILL TO BE ENTITLED

AN ACT

relating to preparation for the conduct of a primary election.

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

SECTION 1. Section 52.002, Election Code, is amended to read as follows:

Sec. 52.002. AUTHORITY PREPARING BALLOT. Except as otherwise provided by law, the following authority shall have the official ballot prepared:

(1) for an election ordered by the governor or a county authority or for a primary election, the county clerk;

~~(2) [for a primary election, the county chair of the political party holding the primary,~~

~~(3)]~~ for an election ordered by a city authority, the city secretary; and

(3) ~~(4)]~~ for an election ordered by an authority of a political subdivision other than a county or city, the secretary of the subdivision's governing body or, if the governing body has no secretary, the governing body's presiding officer.

SECTION 2. Section 123.033, Election Code, is amended by amending Subsection (c) and adding Subsections (g) and (h) to read as follows:

(c) If the county executive committee desires to lease equipment owned by the county served by the committee, the county shall lease the equipment to the committee under the terms agreed to

1 by the parties, which must provide for the county to conduct any
2 programming, testing, and validation of voting system equipment on
3 behalf of the county executive committee. The county chair may be
4 present during testing and validation of voting system equipment.
5 The [~~except that the~~] county's duty to lease the equipment under
6 this subsection is subject to reasonable restrictions and
7 conditions imposed by the commissioners court to:

8 (1) ensure availability of the equipment in elections
9 for which the commissioners court adopted the voting system; and

10 (2) protect the equipment from misuse or damage.

11 (g) Notwithstanding any other law, reimbursement to a
12 county for expenses incurred as described by Subsection (f)(2)
13 shall be reimbursed by the secretary of state directly to the
14 county.

15 (h) The secretary of state may adopt rules to implement this
16 section.

17 SECTION 3. Section [172.029](#)(e), Election Code, is amended to
18 read as follows:

19 (e) The secretary of state shall:

20 (1) archive and keep available for inspection a list
21 of all candidates for whom information has been submitted under
22 this section; and

23 (2) prescribe rules for:

24 (A) submitting the list electronically; and

25 (B) the maintenance and accessibility of
26 information provided under this section to enable a county clerk to
27 use the list to create and print the ballot for a primary election

1 ~~[methodology for distribution to each county clerk and state~~
2 ~~chair].~~

3 SECTION 4. Section 172.083, Election Code, is amended to
4 read as follows:

5 Sec. 172.083. REVIEW AND APPROVAL OF BALLOT BY COUNTY OR
6 STATE CHAIR ~~[PRIMARY COMMITTEE]~~. Before having the official
7 ballots for a general primary election printed, the county clerk
8 ~~[chair]~~ shall submit the format for the official ballot ~~[to the~~
9 ~~primary committee]~~ for ~~[its]~~ review and approval to the county
10 chair or the county chair's designee. If the county chair or
11 designee fails to approve or disapprove the format within a
12 reasonable time, the clerk may submit the format for the official
13 ballot to the state chair or the state chair's designee for review
14 and approval.

15 SECTION 5. Section 173.003, Election Code, is amended to
16 read as follows:

17 Sec. 173.003. EXPENSES INCURRED BY COUNTY. (a) Except as
18 otherwise provided by law, the county shall pay all the expenses
19 incurred in connection with early voting in a primary election,
20 except expenses relating to the printing of early voting ballots,
21 and any other expenses incurred by a county authority in connection
22 with a primary election.

23 (b) The secretary of state shall adopt rules for the
24 reimbursement of expenses relating to the printing of ballots for a
25 primary election. The rules shall designate whether expenses may
26 be reimbursed to the county or directly to the vendor providing
27 services to the county.

1 SECTION 6. This Act takes effect September 1, 2015.