

By: Rodriguez of Travis

H.B. No. 3117

A BILL TO BE ENTITLED

AN ACT

relating to the removal of a precinct or county chair for abandonment of office.

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

SECTION 1. Subchapter B, Chapter 171, Election Code, is amended by adding Section 171.029 to read as follows:

Sec. 171.029. REMOVAL OF PRECINCT CHAIR OR COUNTY CHAIR FOR ABANDONMENT OF OFFICE. (a) A precinct or county chair who has failed to perform statutory duties provided by this code or failed to attend four or more consecutive meetings of the county executive committee may be removed for abandonment of office as provided by this section.

(b) If authorized by a resolution passed by the county executive committee, a county chair may send a notice to a precinct chair that states that the precinct chair is considered to have abandoned the office of precinct chair and the duties of the office. The notice must:

(1) state the reasons the county executive committee believes the precinct chair has abandoned the office;

(2) be sent by certified mail; and

(3) request a response from the precinct chair not later than the seventh day after the date the precinct chair receives the notice.

(c) If authorized by a resolution passed by the state

1 executive committee, a state chair may send a notice to a county
2 chair that states that the county chair is considered to have
3 abandoned the office of county chair and the duties of the office.

4 The notice must:

5 (1) state the reasons the state executive committee
6 believes the county chair has abandoned the office;

7 (2) be sent by certified mail; and

8 (3) request a response from the county chair not later
9 than the seventh day after the date the county chair receives the
10 notice.

11 (d) A precinct or county chair must respond to a notice
12 under Subsection (b) or (c) on or before the seventh day after the
13 date the chair receives the notice and state whether the chair
14 wishes to continue in office. A chair's failure to respond and
15 affirmatively state that the chair wishes to remain in office
16 results in a vacancy in the office of precinct or county chair, as
17 applicable. The vacancy shall be filled as provided by this
18 subchapter.

19 SECTION 2. This Act takes effect September 1, 2015.