

By: Fallon

H.B. No. 3159

A BILL TO BE ENTITLED

AN ACT

relating to a contract with a county for election services.

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

SECTION 1. Section 31.096, Election Code, is amended to read as follows:

Sec. 31.096. NONTRANSFERABLE FUNCTIONS. An election services contract may not change:

(1) the authority with whom applications of candidates for a place on a ballot are filed;

(2) the authority with whom documents are filed under Title 15; or

(3) the authority to serve as custodian of voted ballots or other election records, except that a contract with a political subdivision ~~[other than a city]~~ may provide that the county election officer will be the custodian of voted ballots.

SECTION 2. Section 87.0222(a), Election Code, is amended to read as follows:

(a) Notwithstanding Section 87.024, in an election conducted by an authority of a county with a population of 100,000 or more, or ~~or~~ conducted jointly with such a county, or conducted with such a county through a contract for election services, the jacket envelopes containing the early voting ballots voted by mail may be delivered to the board between the end of the ninth day before election day and the closing of the polls on election day, or

1 as soon after closing as practicable, at the time or times specified
2 by the presiding judge of the board.

3 SECTION 3. Section 87.0241(b), Election Code, is amended to
4 read as follows:

5 (b) The board may not count early voting ballots until:

6 (1) the polls open on election day; or

7 (2) in an election conducted by an authority of a
8 county with a population of 100,000 or more, ~~or~~ conducted jointly
9 with such a county, or conducted with such a county through a
10 contract for election services, the end of the period for early
11 voting by personal appearance.

12 SECTION 4. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2015.