

By: Ellis
(Miller of Fort Bend)

S.B. No. 1448

A BILL TO BE ENTITLED

AN ACT

relating to holding a primary election for a political party in a county without party leadership.

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

SECTION 1. Section 172.128, Election Code, is amended to read as follows:

Sec. 172.128. ALTERNATIVE PRIMARY PROCEDURE FOR COUNTIES WITHOUT COUNTY PARTY LEADERSHIP. (a) Notwithstanding a conflicting provision of this code, [This section applies only to] a primary election that is required for the nomination of a political party to a statewide office or a presidential primary election shall be held in accordance with this section in a county in which:

(1) the office of county chair is vacant and there is an insufficient number of members serving on the county executive committee to fill a vacancy on the committee; and

(2) the party is unable to establish a temporary executive committee under Section 171.027.

(b) On request of the [The] state chair of a political party, [may contract with] a county clerk, county tax assessor-collector, or county elections administrator, as appropriate, shall contract with the state chair to hold a primary election under this section [in a county in which:

~~[(1) the office of county chair is vacant and there is~~

1 ~~an insufficient number of members serving on the county executive~~
2 ~~committee to fill a vacancy on the committee, and~~

3 ~~[(2) the party is unable to establish a temporary~~
4 ~~executive committee under Section 171.027].~~

5 (c) The county may designate the location of the polling
6 place for an election held under this section at the main early
7 voting polling place or designate a location to serve as a polling
8 place in the county seat of the county if the polling place is
9 located so that it will adequately serve the voters.

10 (d) Voting shall be conducted at least during the hours that
11 the county clerk's main business office is regularly open for
12 business.

13 (e) The election returns for an election held under this
14 section shall be delivered to the state chair of the applicable
15 political party.

16 (f) A precinct convention is not required to be held
17 following a primary election conducted under this section.

18 (g) A contract for election services entered into under this
19 section shall provide that the county shall be eligible to be
20 reimbursed for primary election expenses in the same manner a
21 county chair would be reimbursed under Subchapter D, Chapter 173.

22 (h) Election officers appointed to serve a polling place for
23 a primary election conducted under this section may be affiliated
24 or aligned with any political party.

25 (i) The secretary of state shall adopt rules to implement
26 this section in accordance with the conduct of elections and with
27 party rule.

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