

By: Huffines

S.B. No. 703

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting movable early voting polling places.

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

SECTION 1. Section 85.010(b), Election Code, is amended to read as follows:

(b) A political subdivision that holds an election described by Subsection (a) shall designate as an early voting polling place for the election any early voting polling place[~~other than a polling place established under Section 85.062(e),~~] established by the county and located in the political subdivision.

SECTION 2. Section 85.062, Election Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (h) to read as follows:

(a) Except as provided by Subsection (d) [~~or (e)~~], one or more early voting polling places other than the main early voting polling place may be established by:

(1) the commissioners court, for an election in which the county clerk is the early voting clerk; or

(2) the governing body of the political subdivision served by the authority ordering the election, for an election in which a person other than the county clerk is the early voting clerk.

(b) A polling place established under this section may be located, subject to Subsection (d), at any place in the territory

served by the early voting clerk and may be located in any stationary structure as directed by the authority establishing the branch office. The polling place may not be located in a movable structure [~~in the general election for state and county officers, general primary election, or runoff primary election~~]. Ropes or other suitable objects may be used at the polling place to ensure compliance with Section 62.004. Persons who are not expressly permitted by law to be in a polling place shall be excluded from the polling place to the extent practicable.

(c) In any election, the location of a polling place established under this section shall be fixed at one place for the duration of the period that voting is required to be conducted for that election [~~at the polling place~~].

(h) If an authority holding an election for which the ballot includes a proposition seeking voter approval of the issuance of bonds or other debt establishes a polling place located in a movable structure or location in violation of this section, the election for approval of the proposition is invalid.

SECTION 3. Section 85.062(e), Election Code, is repealed.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.