

By: Taylor of Collin

S.B. No. 2011

A BILL TO BE ENTITLED

AN ACT

relating to the location and hours for early voting by personal appearance.

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) and (b) 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 be located in a movable structure, but the structure may not change locations during the early voting period ~~[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.

(h) In an election held by a political subdivision for which the ballot includes a proposition seeking voter approval of the issuance of bonds, a temporary branch polling place must:

(1) remain at the same location for the entire period during which early voting by personal appearance is conducted in the district; and

(2) allow for early voting by personal appearance to be conducted during the same days and hours as voting is conducted at the main early voting polling place under Section 85.005.

SECTION 3. Section 85.063, Election Code, is amended to read as follows:

Sec. 85.063. DAYS AND HOURS FOR VOTING: PERMANENT OR TEMPORARY BRANCH. Early voting by personal appearance at each permanent or temporary branch polling place shall be conducted on the same days and during the same hours as voting is conducted at the main early voting polling place.

SECTION 4. Section 85.068(a), Election Code, is amended to read as follows:

(a) The early voting clerk shall post notice for each election stating any dates and the hours that voting on Saturday or Sunday will be conducted at a temporary branch polling place ~~[under Section 85.064(d) or 85.065(b)]~~, if the early voting clerk is a county clerk or city secretary under Section 83.002 or 83.005.

SECTION 5. The following provisions of the Election Code are repealed:

- (1) Section 42.002(c);
- (2) Section 85.062(e);
- (3) Section 85.064; and
- (4) Section 85.065.

SECTION 6. This Act takes effect September 1, 2017.