

By: Miles, et al.

S.B. No. 46

A BILL TO BE ENTITLED

AN ACT

relating to temporary branch polling places.

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

SECTION 1. Section 85.062(e), Election Code, is amended to read as follows:

(e) In an election covered by Subsection (d), a temporary branch polling place that is ~~[located in a]~~ movable ~~[structure]~~ may be established only with the approval of the county clerk. If a movable temporary branch polling place is established ~~[in a movable structure]~~ on the request of a political party, each other political party whose nominee for governor in the most recent gubernatorial general election received more than 10 percent of the total number of votes received by all candidates for governor in the election is entitled to establishment of such a polling place. The election officers serving a polling place covered by this subsection must be affiliated or aligned with different political parties to the extent possible. The secretary of state, after consulting the state chair of each affected political party, shall prescribe the procedures necessary to implement this subsection.

SECTION 2. Section 85.065, Election Code, as effective September 1, 2021, is amended to read as follows:

Sec. 85.065. DAYS AND HOURS FOR VOTING: TEMPORARY BRANCHES ~~[BRANCH IN LESS POPULOUS COUNTY]~~. (a) Voting ~~[This section applies only to an election in which the territory served by the early~~

1 ~~voting clerk is situated in a county with a population under~~
2 ~~100,000. In an election in which the territory served by the clerk~~
3 ~~is situated in more than one county, this section applies if the sum~~
4 ~~of the populations of the counties is under 100,000.~~

5 ~~[(b) Except as provided by Subsection (c), voting]~~ at a
6 temporary branch polling place may be conducted on any days and
7 during any hours of the period for early voting by personal
8 appearance, as determined by the authority establishing the branch.
9 The authority authorized under Section 85.006 to order early voting
10 on a Saturday or Sunday may also order, in the manner prescribed by
11 that section, early voting to be conducted on a Saturday or Sunday
12 at any one or more of the temporary branch polling places.

13 (b) ~~[(c) Voting at a temporary branch polling place must be~~
14 ~~conducted on at least two consecutive business days and for at least~~
15 ~~eight consecutive hours on each of those days.~~

16 ~~[(d)]~~ The schedules for conducting voting are not required to
17 be uniform among the temporary branch polling places.

18 SECTION 3. Section 85.068(a), Election Code, as effective
19 September 1, 2021, is amended to read as follows:

20 (a) The early voting clerk shall post notice for each
21 election stating any dates and the hours that voting on Saturday or
22 Sunday will be conducted under Section 85.065(a) ~~[85.064(d) or~~
23 ~~85.065(b)]~~, if the early voting clerk is a county clerk or city
24 secretary under Section 83.002 or 83.005.

25 SECTION 4. Section 85.064, Election Code, as effective
26 September 1, 2021, is repealed.

27 SECTION 5. This Act takes effect on the 91st day after the

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1 last day of the legislative session.