

By: Paul

H.B. No. 2266

A BILL TO BE ENTITLED

AN ACT

relating to the appointment of election officers.

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

SECTION 1. Section 32.002, Election Code, is amended by amending Subsection (c-1) and adding Subsection (h) to read as follows:

(c-1) For purposes of this subsection, the county chair shall provide a list of names of persons eligible for appointment as election judges. Judges of countywide polling places established under Section 43.007 must be appointed from the list of names of persons submitted by the county chair in compliance with Subsection (c) except that in appointing a person from the list the commissioners court shall apportion the number of judges in direct proportion to the percentage of precincts located in each county commissioners precinct won by each party in the last gubernatorial election, the commissioners court is not required to make the appointments based on specific polling locations or precincts, a presiding judge or alternate presiding judge is not required to serve in a polling place located in the precinct in which the judge resides, and more than one presiding judge or alternate presiding judge may be selected from the same precinct to serve in polling places not located in the precinct in which the judges reside. The county chairs may submit, and the commissioners court may preapprove, the appointment of more presiding judges or alternate

1 presiding judges than necessary to fill available positions. The
2 county clerk may select an individual whose appointment was
3 preapproved by the commissioners court to fill a vacancy in a
4 position that was held by an individual from the same political
5 party. [~~Other than a judge's party affiliation, nothing in this~~
6 ~~subsection precludes a county clerk from placing an election~~
7 ~~officer at a countywide polling place based on the need for services~~
8 ~~at that location.~~]

9 (h) A person may not be appointed as presiding judge or
10 alternate presiding judge for a county election except as
11 explicitly provided by this section.

12 SECTION 2. Section 32.034, Election Code, is amended by
13 adding Subsection (g) to read as follows:

14 (g) A person may not be appointed as a clerk for an election
15 described by Subsection (a) except as explicitly provided by this
16 section.

17 SECTION 3. Section 87.002, Election Code, is amended by
18 adding Subsection (e) to read as follows:

19 (e) A person may not serve as a member of the board unless
20 appointed as explicitly provided by this section.

21 SECTION 4. Section 87.027(d), Election Code, is amended to
22 read as follows:

23 (d) The early voting clerk shall determine the number of
24 members who are to compose the signature verification committee and
25 shall state that number in the order calling for the committee's
26 appointment. A committee must consist of not fewer than five
27 members. In an election in which party alignment is indicated on the

1 ballot, each county chair of a political party with a nominee or
2 aligned candidate on the ballot shall submit to the appointing
3 authority a list of names of persons eligible to serve on the
4 signature verification committee. The authority shall appoint at
5 least two persons from each list to serve as members of the
6 committee. The same number of members must be appointed from each
7 list. The authority shall appoint the chair of the committee from
8 the list provided by the political party whose nominee for governor
9 received the most votes in the county in the most recent
10 gubernatorial general election. A vacancy on the committee shall be
11 filled by appointment from the original list or from a new list
12 submitted by the appropriate county chair. A person may not serve
13 on the committee unless appointed as explicitly provided by this
14 section.

15 SECTION 5. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2021.