88R949 MLH-D

By:  Middleton S.B. No. 742

A BILL TO BE ENTITLED

AN ACT

relating to a requirement for certain entities to enter into a contract for election services.

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

SECTION 1.  The heading to Section 31.092, Election Code, is amended to read as follows:

Sec. 31.092.  CONTRACT FOR ELECTION SERVICES [~~AUTHORIZED~~].

SECTION 2.  Section 31.092(a), Election Code, is amended to read as follows:

(a)  The county election officer shall [~~may~~] contract with the governing body of a political subdivision situated wholly or partly in the county served by the officer to perform election services, as provided by this subchapter, in any election [~~one or more elections~~] ordered by an authority of the political subdivision.

SECTION 3.  Section 31.093(a), Election Code, is amended to read as follows:

(a)  The [~~Subject to Section 41.001(d), if requested to do so by a political subdivision, the~~] county elections administrator shall enter into an election services [~~a~~] contract [~~to furnish the election services requested,~~] in accordance with a cost schedule agreed on by the contracting parties.

SECTION 4.  Section 42.0621(c), Election Code, is amended to read as follows:

(c)  This section does not require a political subdivision to [~~contract with a county under Section 31.092 or~~] hold a joint election with a county under Chapter 271.

SECTION 5.  Section 173.0341(c), Election Code, is amended to read as follows:

(c)  If the state chair acts as the fiscal agent for a county party in accordance with an agreement under this section:

(1)  the state chair shall deliver the completed agreement to the secretary of state;

(2)  any filing fee received by the county party under Subchapter C must be made payable to the state party for deposit in the state primary fund not later than five days after receipt of the filing fee;

(3)  the county chair or county executive committee shall [~~make a request in accordance with Section 31.093 to~~] enter into a contract with the county elections administrator to conduct primary elections in the county; and

(4)  Section 173.031 does not apply to the county party.

SECTION 6.  The following provisions of the Election Code are repealed:

(1)  Section 31.0925; and

(2)  Section 41.001(d).

SECTION 7.  This Act takes effect September 1, 2023.