

By: Hayes

H.B. No. 4432

A BILL TO BE ENTITLED

AN ACT

relating to authorizing certain election precincts to consolidate.

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

SECTION 1. Section 42.0051, Election Code, is amended to read as follows: COMBINING CERTAIN PRECINCTS. (a) If changes in county election precinct boundaries to give effect to a redistricting plan result in county election precincts with a number of registered voters less than 500, a commissioners court for a general or special election, or for a primary election the county executive committee of a political party conducting a primary election, may combine county election precincts notwithstanding Section 42.005 to avoid unreasonable expenditures for election equipment, supplies, and personnel.

~~[(b) County election precincts in a county with a population of 250,000 or more may also be combined under Subsection (a) if the changes result in county election precincts with 500 or more but fewer than 750 registered voters.]~~

(~~b~~) A combined precinct under this section is subject to the maximum population prescribed for a precinct under Section 42.006.

(~~a~~c) A combined precinct may not be established if it:

(1) results in a dilution of voting strength of a group covered by the federal Voting Rights Act (42 U.S.C. Section 1973c et seq.);

(2) results in a dilution of representation of a group

1 covered by the Voting Rights Act in any political or electoral
2 process or procedure; or

3 (3) results in discouraging participation by a group
4 covered by the Voting Rights Act in any political or electoral
5 process or procedure because of the location of a polling place or
6 other factors.

7 SECTION 2. Chapter 42 of the Election Code is amended by
8 adding Section 42.0052, Election Code, to read as follows:

9 COMBINING CERTAIN PRECINCTS IN LARGE COUNTIES

10 (a) In an election for which use of county election
11 precincts is required in a county with a population of at least
12 150,000, but not greater than 1.2 million, the commissioners court
13 may consolidate, on the recommendation of the county election
14 board, two or more county election precincts into a single
15 precinct, notwithstanding Section 42.005, if the polling place is
16 located so it will adequately serve the voters of the consolidated
17 precinct.

18 (1) A consolidated precinct under this section cannot
19 exceed 10,000 active registered voters.

20 (b) A combined precinct may not be established if it:

21 (1) results in a dilution of voting strength of a group
22 covered by the federal Voting Rights Act (42 U.S.C. Section 1973c et
23 seq.);

24 (2) results in a dilution of representation of a group
25 covered by the Voting Rights Act in any political or electoral
26 process or procedure; or

27 (3) results in discouraging participation by a group

1 covered by the Voting Rights Act in any political or electoral
2 process or procedure because of the location of a polling place or
3 other factors.

4 SECTION 3. (a) Subject to Subsection (b) of this section,
5 this Act takes effect September 1, 2023.

6 (b) This Act takes effect only if legislation proposed by
7 the 88th Legislature, Regular Session, 2023, relating to the use of
8 banning public schools as polling places is enacted and becomes
9 law. If legislation described by this section is not enacted or does
10 not become law, this Act has no effect.