

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:

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

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

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

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

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

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

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

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21 are repealed:

22               (1) Section 31.0925; and

23               (2) Section 41.001(d).

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