By: Plesa H.B. No. 1080

A BILL TO BE ENTITLED

AN ACT

relating to service as an election official in lieu of service on a petit jury.

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

SECTION 1. Subchapter E, Chapter 31, Election Code, is amended by adding Section 31.131 to read as follows:

Sec. 31.131. REQUEST FOR ELECTION OFFICIALS. A county election officer, as defined by Section 31.091, who determines the county will have an insufficient number of election officials to adequately hold an upcoming election, may submit to the appropriate county or district clerk a written request for election staff under Section 62.0126, Government Code.

SECTION 2. Subchapter A, Chapter 62, Government Code, is amended by adding Section 62.0126 to read as follows:

Sec. 62.0126. SERVICE AS ELECTION OFFICIAL IN LIEU OF JURY SERVICE. (a) If a county election officer determines additional election officials, as defined by Section 1.005, Election Code, are needed in the county to conduct an upcoming election held by the county, the county election officer may submit to the district or county clerk a written request for election staff. The request must:

(1) identify the election;

(2) provide the number of election officials needed and the specific positions to be filled;

(3) include the expected dates of service and the dates of any required training; and

(4) identify the last date before the election on which a person may be appointed or hired to serve in each of the provided positions.

(b) On receipt of a request under Subsection (a), a clerk shall inform each court served by the clerk of the request.

(c) The judge of each court informed under Subsection (b) may authorize the district or county clerk who received the request to offer a number, specified by the court, of prospective jurors summoned under this chapter to jury service in the court the option to serve as an election official in a position provided by the request received under Subsection (a) in lieu of the jury service. A clerk may not extend an offer under this section to a person impaneled as a juror.

(d) To accept an offer extended under Subsection (c), a prospective juror must:

(1) submit an application or other request for the specified election official position to the appropriate authority under the Election Code; and

(2) agree to complete the term of service expected of an individual in the specified position, including any training required.

(e) If a prospective juror accepts an offer extended under Subsection (c) and submits an application as required under Subsection (d), the judge of the court shall suspend the person's jury service until the person's application or request is rejected

or the person's service as an election official is terminated or completed.

(f) If a prospective juror accepts an offer extended under Subsection (c) and successfully completes the person's service as an election official, the county election officer shall certify that completion and forward proof of the completion to the court, in the form and manner specified by the court. On receipt of proof under this section, the court shall order the prospective juror's jury service completed.

(g) If a prospective juror accepted an offer extended under Subsection (c) and is not appointed to or hired for the election official position to which the person applied or submitted a request under Subsection (d) or otherwise fails to complete the full term of service for which the person was appointed or hired as an election official, the county election officer shall notify the court that the person did not complete the required service. On receipt of notice under this subsection, the court shall reissue the person's summons to appear for jury service issued under this chapter.

(h) A person serving as an election official as the result of an application or request submitted under this section is entitled to the same compensation, if any, provided to another election official serving in the same position.

(i) A county election administrator, a district or county clerk, and a court shall exchange only the amount of information regarding a prospective juror necessary to implement this section.

(j) Each court may adopt local rules regarding the

procedures for offers, acceptances, certification, and notice under this section.

SECTION 3. This Act applies only to a jury summons issued on or after the effective date of this Act. A jury summons issued before that date is governed by the law in effect on the date the summons was issued, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2027.