

BILL ANALYSIS

Senate Research Center
78R6695 DRH-D

S.B. 1643
By: Staples
State Affairs
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As Filed

DIGEST AND PURPOSE

Current law allows for the commissioners court to appoint the presiding judge of each central counting station operating in an election. As proposed, S.B. 1643 requires the county chair of a political party whose candidate for governor received the highest or second highest number of votes in the county in the most recent gubernatorial general election to submit to the commissioners court a list of names of persons in order of preference for each precinct who are eligible for appointment as the presiding judge. This bill also states that the alternative presiding judge will serve if the presiding judge cannot serve or is already serving in another position, established under the Election Code.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 127.005, Election Code, by adding Subsections (e) and (f), as follows:

(e) Requires the presiding judge and an alternate presiding judge to be appointed for each central counting station operating in the election in the same manner as a presiding judge and alternate presiding judge under Section 32.002, for an election in which election judges appointed under Section 32.002 serve.

(f) Provides that an alternate presiding judge appointed under Subsection (e) serves as presiding judge for the counting station if the regularly appointed presiding judge cannot serve or serves in another position established under this subchapter.

SECTION 2. Amends Chapter 127A, Election Code, by adding Section 127.008, as follows:

Sec. 127.008. APPOINTMENT OF COUNTING STATION STAFF. (a) Provides that this station applies only to an election in which election judges appointed under Section 32.002 serve.

(b) Requires the county chair of each political party that holds a primary in the county to submit in writing to the commissioners court a list of names of persons qualified for each position described in this subchapter, other than presiding judge, not later than the 25th day before the day of an election. Requires the person designated to make appointments under this subchapter to make appointments in equal numbers from the lists provided under this subsection, to the extent possible. Requires the alternate presiding judge, if not serving as presiding judge, to be appointed to one of the positions.

SECTION 3. Effective date: September 1, 2003.