

BILL ANALYSIS

Senate Research Center
79R8689 ATP-D

H.B. 3162
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State Affairs
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current Texas law requires a majority of the county executive committee's membership to participate in filling a vacancy. In order to be elected, a person is required to receive a favorable vote of a majority of the members voting, unless there is only one candidate. However, when a committee member is called to active duty with the armed forces, the member's seat is left open.

H.B. 3162 gives the county executive committee member called for active duty the opportunity to appoint a replacement. If the member chooses not to appoint a replacement, the current law comes into effect and a majority vote will be taken to select the replacement.

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 Subchapter B, Chapter 171, Election Code, by adding Section 171.0251, as follows:

Sec. 171.0251. TEMPORARY REPLACEMENT OF COMMITTEE MEMBER IN MILITARY. (a) Defines "armed forces of the United States."

(b) Provides that a member of the county executive committee who enters active duty in the armed forces of the United States as a result of being called to duty, drafted, or activated does not vacate the office held, but the committee member may appoint a replacement to serve as a temporary acting officer if the committee member will be on active duty for longer than 30 days.

(c) Sets forth requirements for the temporary acting officer appointed as provided by Subsection (b).

(d) Provides that the temporary acting officer appointed as provided by Subsection (b) has all the powers, privileges, and duties of the office and is entitled to the same compensation, payable in the same manner and from the same source, as the member of the county executive committee who is temporarily replaced.

(e) Sets forth the required dates for which the temporary acting officer appointed as provided by Subsection (b) to perform the duties of the committee member.

SECTION 2. Effective date: upon passage or September 1, 2005.