

**CHAPTER 121**

**H.B. No. 123**

**An Act relating to the number of election clerks required to be appointed for county election precincts.**

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Section 15(a), Texas Election Code (Article 3.01, Vernon's Texas Election Code), is amended to read as follows:

(a) For county elections. The commissioners court at its July term shall appoint from among the citizens of each election precinct one qualified voter as presiding judge of elections held at the expense of the county in that precinct and one qualified voter as alternate presiding judge, each of whom shall continue to act until his successor is appointed. Whenever a vacancy arises in either of such offices, the commissioners court may fill the vacancy at any regular or special term of court. All orders appointing judges and alternates shall be entered of record. Each presiding judge shall appoint ~~two~~ voters, who are eligible for appointment, to serve as election clerks, *in the number* ~~[and shall appoint for each election as many additional clerks as]~~ he deems necessary for the proper conduct of the election, not to exceed the maximum number authorized by the commissioners court. The commissioners court shall fix the maximum number of clerks that may be appointed for each precinct, and may fix different maximums depending on the type of election. The clerks shall be selected from different political parties, when practicable. The chairman of the county executive committee of each of the two parties whose candidate for Governor received the most votes statewide in the last prior gubernatorial general election may submit a list of not less than two eligible nominees who are members of that party to each election judge at least 30 days prior to the date of a general election or 10 days prior to the date of a special election. If any such list is submitted to him, the election judge shall appoint at least one clerk from each list submitted. For the purpose of this section, the term "members of that party" means persons who affiliated with the party in the manner prescribed in Section 179a of this code (Article 13.01a, Vernon's Texas Election Code) during the last preceding set of primary elections and conventions.

**SECTION 2.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on March 26, 1985, by a non-record vote; passed by the Senate on May 2, 1985, by the following vote: Yeas 31, Nays 0.

Approved: May 17, 1985

Effective: August 26, 1985