

**CHAPTER 869**

**H.B. No. 276**

**An Act relating to absentee voting and to the location of polling places in certain elections.**

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

**SECTION 1.** Subdivision 14, Section 37, Texas Election Code (Article 5.05, Vernon's Texas Election Code), is amended by amending Paragraph (c) and adding Paragraph (d) to read as follows:

(c) *Except as provided by Paragraph (d) of this subdivision, any [Any] voter eligible to vote absentee by personal appearance in the main office of the clerk may vote in any branch office. The deputy clerk in charge of absentee voting at each branch office shall transmit to the clerk at the close of each day of absentee voting the names of all persons who have voted absentee in the branch office on that day, together with other necessary information as provided in Subdivision 11, for inclusion in the record of absentee voters maintained in the main office. During the period for absentee voting by personal appearance, the applications and ballots of persons who have voted absentee may be retained in the branch office or may be delivered to the main office from time to time, but all applications and ballots shall be delivered to the main office not later than one o'clock p.m. on the third day prior to election day. Except as otherwise provided in this subdivision, the voting in a branch office shall be subject to the same regulations as the voting in the main office.*

(d) *In a county containing a city with a population of 900,000 or more and with a council-manager form of government, the voting at a branch office may be restricted to voters of particular election precincts. For an election in which the county clerk or the county elections administrator, if that position exists, is the absentee voting clerk, the commissioners court may impose the restriction. For other elections, the governing body of the political subdivision holding the election may impose the restriction. The absentee voting clerk shall include in the schedule of branch offices required by Paragraph (b) of this subdivision a list of the election precincts served by each branch office.*

**SECTION 2.** Section 9c(a), Texas Election Code (Article 2.01c, Vernon's Texas Election Code), is amended to read as follows:

(a) *When two or more political subdivisions of this state are holding elections on the same day in all or part of the same territory, the governing bodies of any two or more of the political subdivisions may agree to hold their elections jointly in the election precincts that can be served by common polling places. The voters of a particular election precinct or political subdivision may be served in a joint election by a common polling place located outside the boundary of the election precinct or political subdivision if the location can adequately and conveniently serve the affected voters and will facilitate the orderly conduct of the election. When any other statute makes a joint election mandatory, a joint election must be held in accordance with the terms of the statute; and if any other political subdivisions are holding elections in any part of the same territory, any or all of them may also join in the agreement for a joint election.*

**SECTION 3.** 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 April 4, 1985, by a non-record vote; passed by the Senate on May 15, 1985, by the following vote: Yeas 31, Nays 0.

Approved: June 15, 1985

Effective: August 26, 1985