(b) To be eligible for appointment, a person must:
(1) have knowledge and experience in the conduct of elections with the electronic voting system for which the counting station is established; and
(2) be a registered voter of the political subdivision served by the authority establishing the counting station, except:
(A) during the first year following the adoption of the voting system; or
(B) if the person is an employee of the political subdivision that adopts or owns the voting system.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed by the House on May 8, 2013: Yeas 147, Nays 0, 2 present, not voting; passed by the Senate on May 17, 2013: Yeas 31, Nays 0.
Approved June 14, 2013.
Effective June 14, 2013.

CHAPTER 335
H.B. No. 2015
AN ACT
relating to the proper classification of workers performing services in connection with governmental contracts; providing a penalty.

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

SECTION 1. Chapter 214, Labor Code, is amended by adding Section 214.008 to read as follows:

Sec. 214.008. MISCLASSIFICATION OF CERTAIN WORKERS; PENALTY. (a) A person who contracts with a governmental entity to provide a service as defined by Section 2155.001, Government Code, shall properly classify, as an employee or independent contractor in accordance with Chapter 201, any individual the person directly retains and compensates for services performed in connection with the contract.

(b) In this subsection, “subcontractor” means a person directly retained and compensated by a person who contracts with a governmental entity to provide a service as defined by Section 2155.001, Government Code. A subcontractor shall properly classify, as an employee or independent contractor in accordance with Chapter 201, any individual the subcontractor directly retains and compensates for services performed in connection with the contract for which the subcontractor is retained.

(c) A person who fails to properly classify an individual as required by Subsection (a) or (b) shall pay to the commission a penalty equal to $200 for each individual that the person has not properly classified.

(d) The commission may not take action to collect a penalty under this section from a person after the third anniversary of the date on which the violation occurred.

SECTION 2. This Act takes effect January 1, 2014.

Passed by the House on May 4, 2013: Yeas 137, Nays 0, 2 present, not voting; passed by the Senate on May 17, 2013: Yeas 29, Nays 2.
Approved June 14, 2013.
Effective January 1, 2014.