

BILL ANALYSIS

Senate Research Center

H.B. 630
By: Larson (Huffman)
State Affairs
4/30/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, a majority of a party's county executive committee membership must be present to constitute a quorum for a vote to fill a precinct chair vacancy. In many counties, precinct chair vacancies occur frequently in both parties, and there are reports that it has been challenging to garner a quorum to vote to fill these vacancies. H.B. 630 seeks to remedy this problem by authorizing each party to adopt rules to determine a percentage of executive committee membership that constitutes a quorum for purposes of filling a precinct chair vacancy.

H.B. 630 amends current law relating to the filling of vacancies on a political party's county executive committee.

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 Sections 171.024(b) and (c), Election Code, as follows:

(b) Requires a majority of the membership of the county executive committee (committee) to participate in filling a vacancy in the office of county chair, rather than requiring a majority of the committee's membership, except as provided by Subsection (c), to participate in filling a vacancy.

(c) Requires each party to adopt rules to determine a percentage of committee membership that constitutes a quorum for purposes of filling a vacancy in the office of precinct chair. Requires a person, to be elected, to receive a favorable vote of a majority of the members voting. Deletes existing text authorizing a vacancy in the office of precinct chair to be filled without participation of the majority of the committee membership if only one person is a candidate to fill the vacancy and the person was elected as a precinct chair in the most recent primary election in the county and is eligible to serve in the vacant office.

SECTION 2. Amends Section 171.025, Election Code, by adding Subsection (e), as follows:

(e) Authorizes a vacancy in the office of county chair, in a county with a population of less than 5,000, to be filled by appointment of a person who is not a resident of the county if:

- (1) the person resides in a county in this state with a population of less than 5,000 that is adjacent to the county in which the vacancy occurs; and
- (2) the secretary of state (SOS) approves the appointment of the person under procedures prescribed by SOS.

SECTION 3. Effective date: upon passage or September 1, 2013.