

## **BILL ANALYSIS**

Senate Research Center

C.S.H.B. 630  
By: Larson (Huffman)  
State Affairs  
5/2/2013  
Committee Report (Substituted)

### **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. C.S.H.B. 630 seeks to remedy this problem by authorizing each party to adopt rules to determine procedures for filling a precinct chair vacancy.

C.S.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), (c), and (d), 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.

(d) Prohibits a vacancy in the office of county chair from being filled before the beginning of the term of office in which the vacancy occurs.

SECTION 2. Amends Subchapter E, Chapter 172, Election Code, by adding Section 172.128, as follows:

Sec. 172.128. ALTERNATIVE PRIMARY PROCEDURE FOR COUNTIES WITHOUT COUNTY PARTY LEADERSHIP. (a) Provides that this section applies only to a primary election that is required for the nomination of a political party to a state or county office or for which a measure appears on the ballot.

(b) Authorizes the state chair of a political party to contract with a county clerk, county tax assessor-collector, or county elections administrator, as appropriate, to hold a primary election in a county in which the office of county chair is vacant

and there is an insufficient number of members serving on the county executive committee to fill a vacancy on the committee and the party is unable to establish a temporary executive committee under Section 171.027 (Temporary Committee).

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