

Subject: Urban County News, May 31, 2009; County Wide Voting Centers Pilot Program becomes a Permanent Program

May 31, 2009

To All Urban Counties:

The House and Senate recently passed a bill to make the county wide polling places pilot program a permanent program. The program allows a county to replace their traditional precinct polling locations on election day with an appropriate number of vote centers. A registered voter in the county may then vote in any location they choose; near work, near home, near school, etc. The countywide polling place program promises to make elections more convenient, improve accessibility, improve training of election workers and improve election administration.

The countywide polling places pilot program was first created in 2005, and was continued in 2007, but in each version it had a sunset date. The 2009 version (HB 719 by Flynn/Duncan) contains no sunset date, but the number of counties that may be chosen is limited. In the final version of the bill that is on its way to the governor, the bill does the following:

- Allows up to five counties to participate in the program (three urban, two rural);
- Allows the program to be used for all types of elections (constitutional elections were previously omitted);
- Requires an effort to be made to solicit input from minority groups and groups or individuals representing voters; and
- Allows the county to reduce the number of voting locations in the county on election day (in the first year, the number of locations may not be less than 65% of the number of voting locations that would normally be used in an election, in subsequent years the floor is 50%).

The higher floor in the first year was requested by voting rights groups (Advocacy Inc., MALDEF, League of Women Voters, and ACLU) in order to minimize the possibility that a county could put in too few locations and have problems on election day. The 65% level was negotiated by the Urban Counties to ensure passage of the bill. The higher floor applies only to the first year; in the second year of participation, or for a county that has already participated in the program, the 50% floor would apply.

Instead of having an end date, the bill is limited to three counties with a population of more than 100,000 and two counties with a population of less than 100,000. Lubbock County and Erath County have successfully used the program in the past and will likely be approved for the current program, so there are three additional slots available for other counties to test the system. In order to open the program to more counties in the future it will be imperative to get three more counties to try the program.

If your county is interested in the program, please contact the urban county offices (512/476-6174) and we can provide additional information on the requirements of the program.

The original bill, SB 1310 by Duncan/Smith, was moving quickly through the system, but died in House Calendars along with all the other bills on the calendar the night the Voter ID bill died. Representative Flynn was kind enough to accept an amendment to add the language from SB 1310 to HB 719. The bill now goes to the Governor for a signature.

Please contact me if I may be of additional assistance on this or any other matter.

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Texas Conference of Urban Counties