

AN ACT

relating to the authority for certain high school students to serve as election clerks.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (c), Section 32.051, Election Code, is amended to read as follows:

(c) Except as provided by Section 32.0511, to ~~to~~ be eligible to serve as a clerk of an election precinct, a person must be a qualified voter:

(1) of the county, in a countywide election ordered by the governor or a county authority or in a primary election;

(2) of the part of the county in which the election is held, for an election ordered by the governor or a county authority that does not cover the entire county of the person's residence; or

(3) of the political subdivision, in an election ordered by an authority of a political subdivision other than a county.

SECTION 2. Subchapter C, Chapter 32, Election Code, is amended by adding Section 32.0511 to read as follows:

Sec. 32.0511. SPECIAL ELIGIBILITY REQUIREMENTS: STUDENT ELECTION CLERKS. (a) In this section:

(1) "Educational institution" means:

(A) a public secondary school; or

(B) an accredited private or parochial secondary

1 school.

2 (2) "Student" means a person enrolled in an
3 educational institution or a home-schooled student.

4 (b) A student who is ineligible to serve as a clerk of an
5 election precinct under Section 32.051(c) is eligible to serve as a
6 clerk of an election precinct under this section if the student:

7 (1) at the time of appointment as an election clerk:

8 (A) is a student at an educational institution or
9 attends a home school that meets the requirements of Section
10 25.086(a)(1), Education Code; and

11 (B) has the consent of:

12 (i) the principal of the educational
13 institution attended by the student; or

14 (ii) in the case of a home-schooled
15 student, a parent or legal guardian who is responsible for the
16 student's education; and

17 (2) at the time of service as an election clerk:

18 (A) is 16 years of age or older;

19 (B) is a United States citizen; and

20 (C) has completed any training course required by
21 the entity holding the election.

22 (c) A student election clerk serving under this section:

23 (1) is entitled to compensation under Section 32.091
24 in the same manner as other election clerks; and

25 (2) when communicating with a voter who cannot
26 communicate in English, may communicate with the voter in a
27 language the voter and the clerk understand as authorized by

1 Subchapter B, Chapter 61.

2 (d) Not more than two student election clerks may serve at a
3 polling place, except that not more than four student election
4 clerks may serve at any countywide polling place.

5 (e) The secretary of state may initiate or assist in the
6 development of a statewide program promoting the use of student
7 election clerks appointed under this section.

8 SECTION 3. Subsection (b), Section 25.087, Education Code,
9 is amended to read as follows:

10 (b) A school district shall excuse a student from attending
11 school for:

12 (1) the following purposes, including travel for those
13 purposes:

14 (A) observing religious holy days; [~~or~~]

15 (B) attending a required court appearance; or

16 (C) serving as an election clerk; or

17 (2) a temporary absence resulting from health care
18 professionals if that student commences classes or returns to
19 school on the same day of the appointment.

20 SECTION 4. Subchapter D, Chapter 33, Education Code, is
21 amended by adding Section 33.092 to read as follows:

22 Sec. 33.092. STUDENT ELECTION CLERKS. A student who is
23 appointed as a student election clerk under Section 32.0511,
24 Election Code, may apply the time served as a student election clerk
25 toward:

26 (1) a requirement for a school project at the
27 discretion of the teacher who assigned the project; or

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1 (2) a service requirement for participation in an
2 advanced academic course program at the discretion of the program
3 sponsor or a school-sponsored extracurricular activity at the
4 discretion of the school sponsor.

5 SECTION 5. This Act takes effect September 1, 2009._____

Rand Newkirk
President of the Senate

Jim Strawn
Speaker of the House

I hereby certify that S.B. No. 1134 passed the Senate on April 2, 2009, by the following vote: Yeas 31, Nays 0._____

Patricia Spaw
Secretary of the Senate

I hereby certify that S.B. No. 1134 passed the House on May 26, 2009, by the following vote: Yeas 145, Nays 0, one present not voting._____

Robert Haney
Chief Clerk of the House

Approved:
19 JUN '09
Date

RICK FERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK
JUN 19 2009

Colby Hunter III