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AN ACT

relating to requirements for county election precincts.

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

SECTION 1. Section 42.001, Election Code, is amended to read as follows:

Sec. 42.001. PRECINCTS ESTABLISHED BY COMMISSIONERS COURT.

(a) Each commissioners court by order shall divide all the territory of the county into county election precincts in accordance with this subchapter. The precincts must be compact and contiguous.

(b) In a county with a population of more than 175,000, in establishing a county election precinct, the commissioners court shall consider the availability of buildings to use as polling places so that a voter of the precinct will not have to travel more than 25 miles from the voter's residence to reach the polling place for the precinct.

SECTION 2. Section 42.006(d), Election Code, is amended to read as follows:

(d) In a county in which a voting system has been adopted for use in the general election for state and county officers, the maximum number of registered voters a precinct may contain is 5,000 [+

~~[(1) 3,000, in a county with a population of 250,000 or more,~~

1                   ~~[(2) 4,000, in a county with a population of 175,000 or~~  
2 ~~more but less than 250,000, and~~

3                   ~~[(3) 5,000, in a county with a population of less than~~  
4 ~~175,000].~~

5                   SECTION 3. Section 43.002, Election Code, is amended by  
6 adding Subsection (c) to read as follows:

7                   (c) In making a designation under this section, the  
8 commissioners court of a county with a population of more than  
9 175,000 may not designate a location as a polling place that would  
10 require a voter in the precinct to travel more than 25 miles from  
11 the voter's residence to the polling place.

12                   SECTION 4. This Act takes effect September 1, 2005.

David Dewhurst

President of the Senate

Jim Caddell

Speaker of the House

I certify that H.B. No. 2759 was passed by the House on May 9, 2005, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 2759 on May 27, 2005, by a non-record vote.

Robert Honey  
Chief Clerk of the House

I certify that H.B. No. 2759 was passed by the Senate, with amendments, on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Lacey Spaw  
Secretary of the Senate

APPROVED: 17 JUNE '05

Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2:10 PM O'CLOCK

Roger Williams  
Secretary of State