

- SUBJECT:** Appointment of a political party's temporary county chair
- COMMITTEE:** Elections — committee substitute recommended
- VOTE:** 6 ayes — Berman, Bohac, England, Burnam, Farias, C. Howard
0 nays
1 absent — Anchia
- WITNESSES:** For — Ken Bailey, Texas Democratic Party; Andrew Thomas, Bexar County Democratic Party; Carla Vela, Bexar County Democratic Party; Skipper Wallace, Texas Republican County Chairmans Association; (*Registered, but did not testify:* Johnnie B. Rogers, Linda Rogers)

Against — Dennis Boerner, Senate District 1; Maggie Boerner, Camp County Republican Chair

On — Elizabeth Hanshaw Winn, Office of the Secretary of State
- BACKGROUND:** Under Election Code, sec. 171.027(a), if a county executive committee for a political party does not exist in a county in which the party is holding a primary election, the party shall establish a temporary county executive committee. Under sec. 171.027(b), the state executive committee shall appoint a temporary county chair, who must receive a favorable vote of a majority of the committee's membership.
- DIGEST:** CSHB 862 would amend Election Code, sec. 171.027(b) to authorize the state chair of a political party, in addition to the state executive committee, to appoint a temporary county chair. If the state chair appointed a temporary county chair, the state executive committee at its next regular meeting would have to ratify the appointment of the temporary county chair or appoint another person as temporary county chair. A majority vote of the committee members voting would be required for ratification or an appointment.

The bill would take effect September 1, 2007.

**SUPPORTERS
SAY:**

CSHB 862 would establish a process for filling a county chair vacancy in a county without an executive committee. Occasionally, circumstances arise that make the county chair of a political party unable to fill a term. When this occurs, current law is not clear as to how a county party without an executive committee should proceed in order to fill the vacancy. Under these circumstances, the bill would allow the state party chair to appoint a temporary county chair until the next regular meeting of the state executive committee, which could formally confirm the appointment or appoint another temporary county chair.

A state executive committee might meet only four times a year. If a vacancy occurred between meetings of the state committee, a county party might be adversely impacted for a few months until the state committee could appoint a temporary county chair at its next meeting. CSHB 862 would address this scenario and mainly would affect rural counties or counties with fewer than 50 precincts that do not have functioning county executive committees.

**OPPONENTS
SAY:**

The state party chair often is in no position to know who should be appointed to serve as a temporary county chair. If the state party chair were to play a role in this process, CSHB 862 at least should direct the state chair to act upon recommendations of the state executive committee in making appointments.

Better yet, upon receiving recommendations from the district executive committee, the state executive committee should retain sole authority to name a temporary party chair. District executive committee members would be more likely to know who was qualified and available to accept the temporary appointment at the county party level.

NOTES:

The bill as introduced would have allowed only the state chair to appoint a temporary county chair. The committee substitute would authorize either the state executive committee or the state party chair to appoint a temporary county chair.