

By: Martinez Fischer

H.B. No. 2752

A BILL TO BE ENTITLED

AN ACT

relating to the removal of a political party's county chair.

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

SECTION 1. Subchapter B, Chapter 171, Election Code, is amended by adding Section 171.029 to read as follows:

Sec. 171.029. REMOVAL OF COUNTY CHAIR. (a) In this section:

(1) "Incompetency" means:

(A) gross ignorance of official duties;

(B) gross carelessness in the discharge of official duties; or

(C) unfitness or inability to promptly and properly discharge official duties because of a serious physical or mental defect that did not exist at the time of the county chair's election.

(2) "Official misconduct" means intentional, unlawful behavior relating to a county chair's official duties. The term includes an intentional or corrupt failure, refusal, or neglect of a county chair to perform an official duty.

(b) The state executive committee of a political party may remove a county chair for incompetency or official misconduct as provided by this section.

(c) Before removing a county chair, a state executive committee shall provide notice of the reason for removal to the

1 county chair and shall give the chair an opportunity for a hearing  
2 before the committee.

3 (d) If, after notice and hearing, a majority of the state  
4 executive committee votes to remove the county chair from office,  
5 the committee may suspend party rules to the extent necessary to  
6 remove the county chair and:

7 (1) fill the vacancy created by the removal; or

8 (2) appoint a committee of local officials to oversee  
9 the operations of the county executive committee until the election  
10 of a new county chair.

11 (e) Sections 171.024 and 171.025 do not apply to the filling  
12 of a vacancy created by the removal of a county chair under this  
13 section.

14 SECTION 2. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2011.