

ORDINANCE NO. 06-02

AN ORDINANCE OF THE CITY OF DANBURY, TEXAS,
PROVIDING FOR HANDICAPPED ACCESSIBLE ELECTRONIC
VOTING SYSTEMS; AND PROVIDING A SEVERANCE CLAUSE
AND AN EFFECTIVE DATE.

WHEREAS, Section 61.012 of the Texas Election Code requires the Danbury City Council to provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006. This system must comply with state and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot.

WHEREAS, the Office of the Texas Secretary of State has certified that the eSlate Voting System is an accessible voting system that may legally be used in Texas elections for any person voting on election day and any person voting during early voting by personal appearance, and that the Ballot Now System is an accessible voting system that may be legally used in Texas elections for early voting by mail.

WHEREAS, Sections 123.032 and 123.035 of the Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems.

NOW, THEREFORE, BE IT ORAINED BY THE CITY COUNCIL OF THE CITY OF DANBURY, TEXAS, DULY ASSEMBLED:

1. The election official(s) responsible for providing voting equipment shall provide at least one eSlate Voting System in each polling place in every polling location used to conduct any election ordered on or after January 1, 2006. The election official(s) responsible for providing voting equipment shall provide the Ballot Now System for early voting by mail in any election ordered on or after January 1, 2006. Said systems may be acquired by any legal means available to the City of Danbury, including but not limited to lease or rental from Brazoria County or from any other legal source, as authorized or required by Sections 123.032 and 123.035, Texas Election Code.

2. If any part of this ordinance, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this order shall remain in full force and effect.

3. This ordinance shall be effective immediately upon its passage and approval.

PASSED AND APPROVED this 23rd day of February, 2006.

CITY OF DANBURY, TEXAS

By: Robert S. Rosier
Robert Rosier, Mayor

ATTEST:

Jenny Brogger
Jenny Brogger, City Secretary