

**BOARD OF EDUCATION
BEEVILLE INDEPENDENT SCHOOL DISTRICT**

Agenda Item No. _____

Date: January 17, 2006

Subject: Consideration and possible approval of a resolution authorizing use of Direct Recording Electronic Voting Machines in elections held after January 1, 2006.

Submitted by: Erasmo Rodriguez

Related Pages:

Supt's Approval:

ACTION

BACKGROUND INFORMATION:

The Federal Help America Vote Act ("HAVA") requires an accessible voting system to be present in each polling place in which a federal office is on the ballot. This law does not directly impact local political subdivisions elections. However, when adopting this provision into state law, the Texas Legislature added Section 61.012 to the Texas Election Code to provide that by January 1, 2006: Each polling place must provide at least one voting station that:

1. Complies with Section 504 of the Federal Rehabilitation Act of 1973 (29 U.S.C. Section 794 and its subsequent amendments and Title II of the Federal Americans with Disabilities Act (C42 U.S.C. Section 12131 et. Seq.) and
2. Provides a practical and effective means for voters with physical disabilities to cast secret ballot.

In enacting Section 61.012 of the Code, the Legislature chose not to make a distinction between federal and other elections, and instead impose the same accessibility requirements for all elections. Currently, only an electronic voting system called a Direct Record Electronic ("DRE") is capable of complying with these requirements. As a result we will be required to provide at least one accessible voting system in each polling place in elections held after January 1, 2006. There are no exemptions in the law based on size or type of political subdivision.

According to Bee County Clerk Mirella Davis the County has purchased 19 DRE machines and has agreed to lease the machines to other entities in the county for a flat fee of \$500.00 per machine. This includes use of the machines and all required training for our staff. In order to meet the requirement of this state law we will need to lease four (4) DRE machines from the County.

ITEMS ADDRESSED:

N/A

RECOMMENDED ACTION:

To approve a Resolution authorizing the use of Direct Recording Electronic voting machines in Beeville ISD elections held after January 1, 2006.

BUDGETARY INFORMATION:

The fee to lease these machines will be \$500.00 per machine and it has been determined that we will need four (4) machines.

Total Lease Cost	=	\$2,000.00
------------------	---	------------

Mobile Ballot box cards	=	240.00
-------------------------	---	--------

Programming of MBB	=	<u>1,900.00</u>
--------------------	---	-----------------

Total Cost		\$4,140.00
------------	--	------------

BOARD RESOLUTION

THE STATE OF TEXAS

,

,

THE COUNTY OF BEE

,

**RESOLUTION AUTHORIZING USE OF
DIRECT RECORDING ELECTRONIC VOTING MACHINES**

WHEREAS, the Beeville Independent School District desires to authorize the use of Direct Recording Electronic Voting machines at each of its early voting and election day polling places; and

WHEREAS, the Board desires that such Direct Recording Electronic Voting machines be made available to voters for the purpose of implementing state law and the Help America Vote Act and are intended to be provided as an additional voter option to increase voter participation and accessibility of the elections process:

NOW THEREFORE BE IT RESOLVED, that at all future elections of the Beeville Independent School District, a Direct Recording Electronic Voting machine shall be made available for voters at each polling place for early voting and on election day in addition to regular paper ballots.

BE IT SO ORDERED.

Adopted on this 17th day of January, 2006.

BEEVILLE INDEPENDENT SCHOOL DISTRICT

By:

NICK CARDENAS
Board President

TIM FITCH
Vice-President

ATTEST:

LAURA FISCHER
Secretary