

ORDINANCE NO. 4690

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 2, "ADMINISTRATION" OF THE MESQUITE CITY CODE, AS AMENDED, BY ADDING A NEW DIVISION 3 UNDER ARTICLE II TO CREATE A MESQUITE VOTER REGISTRATION FACILITATION POLICY; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council recognizes that voting is one of our most important and fundamental rights as citizens and a vital duty in our democracy; and

WHEREAS, according to study data from the Tufts University Center for Information and Research on Civic Learning and Engagement comparing civic engagement of registered voters and non-registered eligible voters, registered voters are more likely to contact their elected officials, stay informed about local affairs and otherwise engage actively in civic and political activities; and

WHEREAS, pursuant to the Texas Election Code, Dallas and Kaufman counties election offices authorize the registration of voters by volunteer deputy registrars appointed by county voter registrars whose efforts help increase voter registration in the state; and

WHEREAS, under the Texas Election Code, the chief executive of a department of a city with approval of the city's governing body may permit an officer or employee who is a volunteer deputy registrar to engage in official registration activities during working hours on the premises; and

WHEREAS, on May 5, 2018, the Mesquite City Council held a charter election and Mesquite citizens approved the City Charter amendments which established a single member district system of City Council representation, and moved local elections to November, both amendments intended to promote greater participation in the electorate system.

WHEREAS, the City of Mesquite (the "City") is committed to advancing the public interest in voting and public engagement in City government by creating opportunities for every citizen to fully, fairly and conveniently participate in the election process, including this initiative to offer convenient voter registration opportunities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That Chapter 2 of the Mesquite City Code, as amended, is hereby amended by adding a new Division 3 under Article II, attached hereto as Exhibit "A," incorporated herein by reference and hereby made a part of Chapter 2 of the Mesquite City Code, as amended, in all other aspects said Code and Chapter to remain in full force and effect.

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

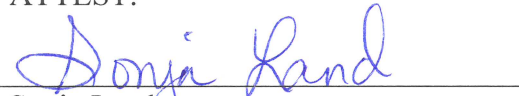
SECTION 4. That this ordinance shall take effect and be in force from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 1st day of July 2019.



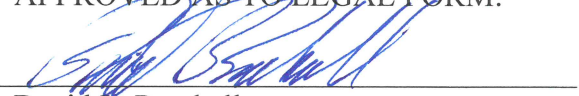
Stan Pickett
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:



David L. Paschall
City Attorney

1. *Chapter 2.* Amend Chapter 2, Article II by adding a new Division 3 to read as follows:

DIVISION 3. MESQUITE VOTER REGISTRATION FACILITATION POLICY

Sec. 2-44. Purpose.

The City of Mesquite is committed to encouraging an active electorate and therefore seeks to assist eligible residents by providing opportunities to register to vote at designated City customer service areas. This policy is designed to supplement existing state and federal laws and initiatives and should be interpreted in a manner that does not conflict with state or federal laws or policies.

Sec. 2-45. Designated customer service areas.

- (a) The following shall be designated customer service areas ("DCSAs") for purposes of this policy:
- (1) The customer service desk of the Parks and Recreation Department;
 - (2) Material checkout desks at City of Mesquite libraries; and
 - (3) Other areas as the City Manager may designate.
- (b) Registrars deputized by Dallas and Kaufman counties shall be available at DCSAs, where eligible voters in those counties shall be offered an opportunity to complete and submit voter registration applications, voter registration change of residence forms and voter registration change of name forms.
- (c) Registrars shall timely submit completed registrations to the Dallas and Kaufman counties elections departments, unless registrants request to submit the form themselves.

Sec. 2-46. Delegation, enforcement and reporting.

- (a) The City Manager may adopt such rules and regulations as may be necessary to implement this Division, including but not limited to training programs for employees of DCSAs as may be needed to insure effective implementation of this policy.
- (b) City staff shall collect the following data and submit an annual report on the implementation of this Division to the City Manager. The report shall include the number of individuals generally served by each DCSA and the number of registrations completed and submitted to the Dallas and Kaufman counties elections departments during the report period. Such reports shall be published annually.

- (c) Any report produced under this Section shall be a public record and shall exclude personal identifying information.

Sec. 2-47. Customer service areas responsibilities.

- (a) Each DCSA shall assign at least one person within that department to serve as coordinator for this policy who shall be trained as necessary to insure effective compliance with applicable laws and the purposes of this Division.
- (b) The City Manager shall establish a method by which the voter registration applications and other voter registration forms are lawfully transmitted to the appropriate county elections department within five calendar days after being accepted by the DCSA.

Sec. 2-48. Protections against undue influence.

- (a) Employees of a DCSA who provide voter registration assistance shall comply with all applicable laws.
- (b) Employees of a DCSA who provide voter registration assistance shall not:
 - (1) seek to influence an applicant's political preference or party designation;
 - (2) display any political preference or party allegiance;
 - (3) make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote; or
 - (4) make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

Sec. 2-49. Notice and signs.

Each DCSA shall prominently display a sign explaining the Mesquite Voter Registration Implementation Policy and of the availability of the services.