

STARR COUNTY

ELECTIONEERING REGULATIONS

1. Purpose and Scope.

- (a) The County of Starr, Texas ("County"), has authority, pursuant to Section 61.003 and Section 85.036 of the Texas Election Code, to enact reasonable regulations concerning the time, place, and manner of electioneering within the County limits; and the County now desires to adopt and establish certain rules and regulations that will govern the time, place, and manner of electioneering within County property. The County finds that the adoption of this policy is in the best interests of its citizens and serves a public purpose, and protects the health, safety, and welfare of the citizens of the County of Starr.
- (b) These Electioneering Regulations apply only to County property used as polling locations during a voting period. The County properties used as polling locations are identified in Exhibit A to these Regulations.
- (c) It is the purpose of these Regulations:
 - (1) To provide reasonable regulations for electioneering on County - owned or -controlled public property when such property is used as a polling place location during a voting period.
 - (2) To establish an electioneering-free zone within one hundred feet (100') of any outside door through which a voter may enter a County building containing a polling place during any voting period, against persons electioneering for or against any candidate, measure, or political party.
 - (3) To prevent damage to public property and to ensure that a polling place location is sufficiently available during a voting period for those who use the facilities other than for election purposes.
 - (4) To protect the public health, safety, and welfare of the County.
 - (5) To protect the voter and the integrity of the election process.
- (b) These Regulations shall not be construed in violation of County policy, state or federal statute, or other applicable law. Any word, phrase, paragraph, or section of these Regulations is severable and should any part be declared unconstitutional, illegal or invalid by any court of

competent jurisdiction, such declaration shall not affect any remaining word, phrase, paragraph or section.

2. **Definitions**

- (a) "Early voting period" means:
- (1) The period for early voting by personal appearance as prescribed by the Texas Election Code or by other applicable state law.
 - (2) If because of the date for which an election is ordered it is not possible to begin early voting by personal appearance on the prescribed date, the early voting period shall begin on the earliest date practicable after the prescribed date as set by the authority ordering the election.
- (b) "Designated Area for Electioneering" means those areas shown on Exhibit A identified in green as areas specifically designated for electioneering which would otherwise be prohibited for Electioneering under the County's Building and Property Use Policy or other sections in these Regulations.
- (c) "Electioneering" means the posting, use, or distribution of political signs, literature, or material.
- (d) "Post" or "Posting" means to display a political sign, including attaching or affixing it to a surface, holding it by hand, or staking it into the ground. T posts are not allowed on any County-owned or -controlled property.
- (e) "Posting period" means:
- (1) The period during which political signs may be placed at any County-owned or -controlled polling location, i.e., placement beginning twenty-four (24) hours before an early voting period begins and removal no later than twenty-four (24) hours after an early voting period closes.
 - (2) The period during which political signs may be placed at any County-owned or -controlled polling location, i.e., placement beginning twenty-four (24) hours before election day voting begins and removal no later than twenty-four (24) hours after election day voting closes.
- (f) "Prohibited area" means the area pursuant to Texas Election Code § 85.036(a), as amended, in which electioneering is prohibited during the

time an early voting place or election day voting place is open for the conduct of early voting or election day voting, respectively.

- (g) "Voting period" means the period beginning when the polls open for voting and ending when the polls close or the last voter has voted, whichever is later, on election day and any day in an early voting period. The period for a run-off election shall be considered to be a separate voting period.

3. **Administration.**

The provisions of this policy shall be administered and enforced by the Starr County Judge, a designated election officer, a code enforcement official, or any law enforcement official.

4. **Prohibited Activities and Conduct.**


- (a) It shall be unlawful for any person to post, leave or place a political sign on County-owned or -controlled property, including within a Designated Area for Electioneering, outside a voting period.
- (b) It shall be unlawful for any person to engage in electioneering, for or against any candidate, measure, or political party, during any voting period within a Prohibited Area.
- (c) It shall be unlawful to place or use T-posts for electioneering on any County-owned or -controlled property.
- (d) It shall be unlawful for any person to park or leave a motor vehicle, or other vehicle or device customarily used for transportation, with or without an occupant, which displays a political sign during any voting period within a Prohibited Area.
- (e) When using parking lots, County employees, staff, and contractors shall park the furthest away from the entrance of a polling location to allow voters to park closer to the polling location.
- (f) It shall be unlawful for any person to loiter or electioneer on sidewalks and interfere with citizen access to polling locations unless the sidewalks are a specifically Designated Area for Electioneering. This prohibition does not apply to passive expressions of speech such as wearing clothing, hats or pins which may be considered electioneering.
- (g) It shall be unlawful for any person within a Designated Area for Electioneering to use, post or distribute signs that are more than two-foot by two-foot (2' x 2').

- (h) It shall be unlawful for any person to use a megaphone within 1,000 feet of any polling place during any voting period.
- (i) It shall be unlawful to damage, cut, carve, mark, remove, transplant, break, pick, or in any way injure, damage, destroy, or deface any real property improvements, personal property, equipment, irrigation systems, plants, planters, or turf within or upon any County property in which a polling place is located. For the purpose of this section, plants shall be defined to include any vegetation, shrubs, bushes, trees, vines, hedges, grasses, or flowers.
- (j) It shall be unlawful for any person to post or place a political sign on or to any building, tree, shrub, pole, or other improvement on County-owned or -controlled property.
- (k) It shall be unlawful to post or place a political sign within fifteen (15) feet from the curb of any County fire station driveway so that it obstructs sight lines as trucks and other vehicles pull in and out of the station. The Fire Chief or his/her designee at each respective County Commissioner Precinct may require that a political sign be relocated if it is determined that such sign hinders normal Fire Department operations.
- (l) It shall be unlawful for any person to engage in electioneering on any driveway of a County- owned or -controlled polling place location or in any area that the Fire Chief or his/her designee determines is unsafe for safe ingress and egress of citizens or County employees and staff from County-owned or –controlled buildings.
- (m) It shall be unlawful to obstruct firefighting or police activities on County-owned or -controlled property.
- (n) It shall be unlawful for electioneering activities to distract the attention or obstruct the vision of drivers, and increase the probability of traffic congestion on or surrounding County-owned or –controlled property.
- (o) It shall be unlawful to place or post political signs in public easements or rights-of-way.
- (p) The regulations set forth in this section shall not apply to any County-authorized signs, literature, materials, or other messages on County-owned or -controlled property.

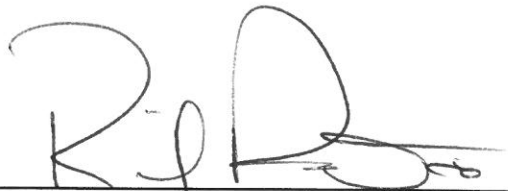
5. **Penalty.**

- (a) Any person who violates any provision or section of these Regulations shall be deemed guilty of a Class C Misdemeanor.
- (b) In addition to the imposition of any criminal penalty, the County, without prior notification, may remove or dispose of any political sign, in its entirety, which is located or placed on County-owned or -controlled property in violation of this policy.

These STARR COUNTY ELECTIONEERING REGULATIONS are enacted on the 9th day of ~~May~~ April, 2018.




Commissioner Jaime Alvarez
County Commissioner Precinct #1



Commissioner Roy Pena III
County Commissioner Precinct #2


Commissioner Eloy Garza
County Commissioner Precinct #3



Commissioner Ruben Saenz
County Commissioner Precinct #4



County Judge Eloy Vera



Attest: Dennis Gonzalez
County Clerk

EXHIBIT 'A'

La Rosita Designated Electioneering Area

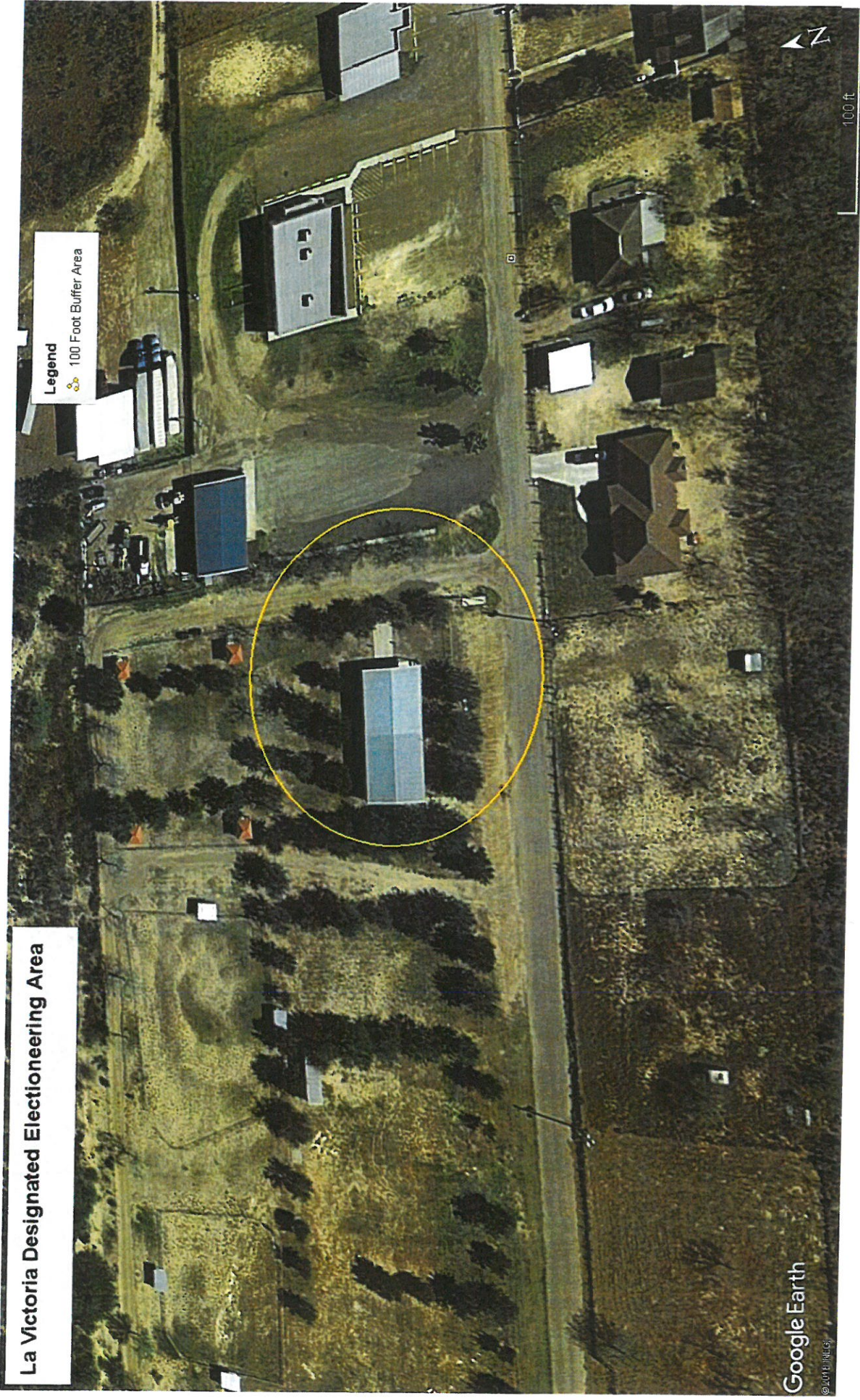
Legend

- 100 Foot Buffer Area
- Electioneering Area





La Victoria Designated Electioneering Area

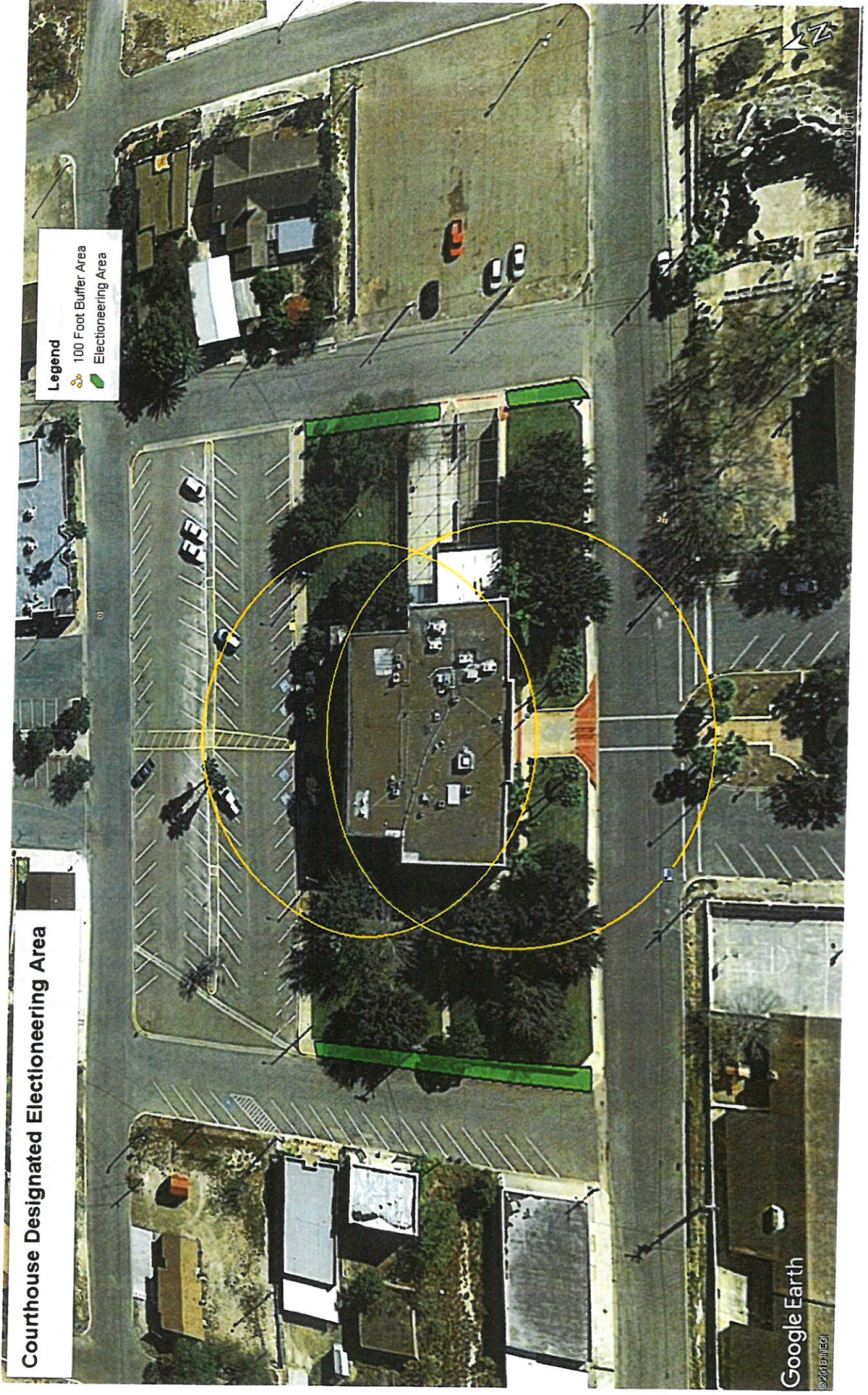
Legend
100 Foot Buffer Area



Courthouse Designated Electioneering Area

Legend

-  100 Foot Buffer Area
-  Electioneering Area



El Cenizo Designated Electioneering Area

- Legend**
- 100 Foot Buffer Area
 - Electioneering Area

