STATE OF TEXAS
OFFICE OF THE GOVERNOR

RICK PERRY
GOVERNOR

November 8, 2010

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
_____O'CLOCK

NOV 08 2010

Secretary of State

The Honorable Esperanza "Hope" Andrade
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Madame Secretary:

Pursuant to his powers as Chief Executive Officer of the State of Texas, Governor Rick Perry has issued the following proclamation:

> Ordering a special election to be held on Tuesday, December 14, 2010, in Texas House of Representatives District No. 44, for the purpose of electing a representative to fill the vacancy in the unexpired seat previously held by the Honorable Edmund Kuempel of Seguin.

The original of this proclamation is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

P. O. Box 12131 • Capitol Station • Austin, Texas 78711

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, a vacancy now exists in the membership of the Texas House of Representatives in District No. 44 which consists of Gonzales, Guadalupe, and Wilson Counties; and

WHEREAS, the 82nd Session of Texas Legislature will convene on January 11, 2011, and the residents of District No. 44 will be without representation; and

WHEREAS, Section 203.002 of the Texas Election Code requires that a special election be ordered upon such vacancy and Section 203.004 of the Texas Election Code requires that if the election is to be held as an emergency election, it shall be held on a Tuesday or Saturday occurring on or after the 36th day and before the 50th day after the date the election is ordered; and

WHEREAS, Section 201.053 of the Texas Election Code requires that when a vacancy occurs after the general election in both the unexpired portion of the current term and in the succeeding full term that was filled at the general election, the special election shall be ordered to fill only the full term; and

WHEREAS, the governor of Texas is granted the discretion under Section 41.0011 of the Election Code to declare an emergency warranting holding a special election before the appropriate uniform election date; and

WHEREAS, Section 3.003 of the Texas Election Code, requires the election to be ordered by proclamation of the Governor.

NOW, THEREFORE, I, RICK PERRY, Governor of Texas, under the authority vested in me by the Constitution and Statutes of the State of Texas, do hereby order an emergency special election to be held in District No. 44 on December 14, 2010, for the purpose of electing a State Representative for House District No. 44 to serve the term which begins January 11, 2011.

Candidates who wish to have their names placed on the special election ballot must file their applications with the Secretary of State no later than 5:00 p.m. on Monday, November 15, 2010.

Early voting by personal appearance shall begin on Monday, November 29, 2010, in accordance with Section 85.001 of the Texas Election Code.

A copy of this order shall be mailed immediately to the County Judges of Gonzales, Guadalupe, and Wilson Counties; and all appropriate writs will be issued and all proper proceedings will be followed for the purpose that said election may be held to fill the vacancy in District No. 44 and its result proclaimed in accordance with law.

IN TESTIMONY WHEREOF, I have hereto signed my name and have officially caused the Seal of State to be affixed at my Office in

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the City of Austin, Texas, this the 8th day of November, 2010.

RICK PERRY

RICK PERRY
Governor of Texas

ATTESTED BY:

Esperanza "Hope" Andrade
Secretary of State

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