

By: Huffman, et al.  
(Hunter)

S.B. No. 13

A BILL TO BE ENTITLED

AN ACT

relating to dates of certain elections to be held in 2022.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 41, Election Code, is amended by adding Section 41.0075 to read as follows:

Sec. 41.0075. PRIMARY ELECTION: TEMPORARY PROVISION. (a) This section supersedes any conflicting statute with respect to a primary election to be held in 2022.

(b) For the purposes of this section, a redistricting plan "becomes law" on the earlier of:

(1) the date the governor signs an Act of the 87th Legislature relating to the composition of the State Board of Education, state legislative, or federal congressional districts;  
or

(2) the date on which the time for gubernatorial action on an Act of the 87th Legislature relating to the composition of the State Board of Education, state legislative, or federal congressional districts expires under Section 14, Article IV, Texas Constitution.

(c) If a redistricting plan adopted following the 2020 federal census by the legislature that includes a State Board of Education, state legislative, or federal congressional district becomes law:

(1) on or before November 15, 2021, the following

1 dates related to the primary election for the election of officers  
2 for the district shall apply:

3 (A) an application for a place on the general  
4 primary election ballot must be filed not earlier than November 29,  
5 2021, and not later than 6 p.m. on December 13, 2021;

6 (B) the general primary election date is March 1,  
7 2022; and

8 (C) the runoff primary election date is May 24,  
9 2022;

10 (2) after November 15, 2021, and on or before December  
11 28, 2021, the following dates related to the primary election for  
12 the election of officers for the district shall apply:

13 (A) an application for a place on the general  
14 primary election ballot must be filed not earlier than January 10,  
15 2022, and not later than 6 p.m. on January 24, 2022;

16 (B) the general primary election date is April 5,  
17 2022; and

18 (C) the runoff primary election date is June 21,  
19 2022; and

20 (3) after December 28, 2021, and on or before February  
21 7, 2022, the following dates related to the primary election for the  
22 election of officers for the district shall apply:

23 (A) an application for a place on the general  
24 primary election ballot must be filed not earlier than February 21,  
25 2022, and not later than 6 p.m. on March 7, 2022;

26 (B) the general primary election date is May 24,  
27 2022; and

1           (C) the runoff primary election date is July 26,  
2 2022.

3           (d) If a plan for a State Board of Education, state  
4 legislative, or federal congressional district becomes law on dates  
5 included under more than one subdivision of Subsection (c), the  
6 latest dates provided for the filing period and the general and  
7 runoff primary elections of all of the subdivisions applicable to  
8 the effective date of a plan shall apply. The county chair shall  
9 conduct the drawing to determine the order of the candidates' names  
10 on the general primary election ballot in accordance with Section  
11 172.082(c) after the date of the applicable filing deadline.

12           (e) If a redistricting plan to which this section applies  
13 has not become law on or before February 7, 2022, the secretary of  
14 state shall set the dates of the filing period and the general and  
15 runoff primary elections for the election of officers of the  
16 districts to which this section applies. In setting dates under  
17 this subsection, the secretary of state shall ensure the efficient  
18 and orderly administration of elections and shall, to the extent  
19 practicable, set dates in a manner that allows the same interval of  
20 time in relation to the date of the election as would be provided by  
21 the application of other law.

22           (f) A date set for the filing period or the general primary  
23 election under Subsection (c) or (d) shall be the date of any filing  
24 period provided under this code or of any general primary election  
25 held under this code.

26           (g) Except as provided by this section, the secretary of  
27 state shall adjust the schedule for canvassing election returns,

1 declaring results, or performing any other official act relating to  
2 an election held on a date under this section as necessary for the  
3 efficient and orderly administration of the election. To the  
4 extent practicable, the secretary of state shall adjust schedules  
5 under this subsection in a manner that allows the same interval of  
6 time in relation to the date of the election as would be provided by  
7 the application of other law.

8 (h) This section expires January 1, 2023.

9 SECTION 2. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect on the 91st day after the last day of the  
14 legislative session.