

By: Murr

H.B. No. 1160

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the replacement of a presidential or vice-presidential
3 candidate in the event of the candidate's withdrawal, death, or
4 ineligibility.

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

6 SECTION 1. Subchapter A, Chapter 192, Election Code, is
7 amended by adding Section 192.009 to read as follows:

8 Sec. 192.009. REPLACEMENT NOMINEE. An elector shall
9 consider a replacement candidate certified under Subchapter C to be
10 the presidential or vice-presidential candidate for whom the
11 elector is the corresponding presidential elector candidate.

12 SECTION 2. Section 192.062(a), Election Code, is amended to
13 read as follows:

14 (a) The secretary of state shall certify in writing [~~for~~
15 ~~placement on the ballot~~] the name of a political party's
16 replacement nominee for president or vice-president of the United
17 States as follows [~~if~~]:

18 (1) for placement on the ballot for an [~~the~~] original
19 nominee who withdraws, dies, or is declared ineligible on or before
20 the 74th day before presidential election day if [~~and~~

21 [~~2~~] the party's state chair delivers certification of
22 the replacement nominee's name, signed by the state chair, to the
23 secretary of state not later than 5 p.m. of the 71st day before
24 presidential election day; or

1 (2) to the nominating party's presidential elector
2 candidates for an original nominee who withdraws, dies, or is
3 declared ineligible after the 74th day before presidential election
4 day if the party's state chair delivers certification of the
5 replacement nominee's name, signed by the state chair, to the
6 secretary of state not later than 2 p.m. on the Monday after the
7 second Wednesday in December of a presidential election year.

8 SECTION 3. Section 192.064(a), Election Code, is amended to
9 read as follows:

10 (a) The secretary of state shall certify in writing [~~for~~
11 ~~placement on the ballot~~] the name of a replacement
12 vice-presidential running mate for an independent candidate for
13 president of the United States as follows [~~if~~]:

14 (1) for placement on the ballot for an [~~the~~] original
15 running mate who withdraws, dies, or is declared ineligible on or
16 before the 74th day before presidential election day if [~~, and~~

17 [~~(2)~~] the independent presidential candidate delivers
18 certification of the replacement running mate's name, signed by the
19 presidential candidate, to the secretary of state not later than 5
20 p.m. of the 71st day before presidential election day; or

21 (2) to the presidential candidate's corresponding
22 presidential elector candidates for an original running mate who
23 withdraws, dies, or is declared ineligible after the 74th day
24 before presidential election day if the independent presidential
25 candidate delivers certification of the replacement running mate's
26 name, signed by the presidential candidate, to the secretary of
27 state not later than 2 p.m. on the Monday after the second Wednesday

1 in December of a presidential election year.

2 SECTION 4. This Act takes effect September 1, 2021.