

By: King of Parker

H.B. No. 1848

A BILL TO BE ENTITLED

AN ACT

relating to the date of the general primary election 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. POSTPONING PRIMARY ELECTION IN SPECIAL CIRCUMSTANCE. (a) Notwithstanding any other provision of law, the governor, lieutenant governor, and speaker of the house may, by written agreement, postpone the date of the general primary election to be held in 2022 if a redistricting plan adopted by the legislature or the Legislative Redistricting Board under Section 28, Article III, Texas Constitution, is not in effect on or before September 1, 2021.

(b) An agreement under Subsection (a) may not be made later than the 45th day before the filing deadline described by Section 172.023.

(c) As soon as possible after an agreement under Subsection (a) is made, the governor shall deliver the agreement to the secretary of state and to the state chair of each party that had a nominee for a statewide or district office on the general election ballot in 2020.

(d) An agreement made under Subsection (a) must include either:

1 (1) the date on which the general primary election
2 will be held; or

3 (2) an agreement that the governor, lieutenant
4 governor, and speaker of the house will determine the date of the
5 general primary election at a later date.

6 (e) The filing period for an election postponed by agreement
7 under Subsection (d)(2) may not begin before the 30th day after the
8 date a determination is made under that subsection.

9 (f) The general primary election may not be postponed under
10 this section to a date later than July 1, 2022.

11 (g) If the general primary election is postponed under this
12 section, the secretary of state shall adjust the date for a runoff
13 election, the deadline for filing for candidacy, and the schedule
14 for canvassing election returns, declaring results, or performing
15 any other official act relating to the election to allow the same
16 interval of time in relation to the date of the election as would be
17 provided by application of other law.

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

19 SECTION 2. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2021.