

By: Huffman

S.B. No. 1822

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 under Section 28, Article III, Texas Constitution, that includes a State Board of Education, state legislative, or federal congressional district becomes law:

(1) on or before November 22, 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 22, 2021, and on or before January
11 3, 2022, the following dates related to the primary election for the
12 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 January 3, 2022, and on or before February
21 14, 2022, the following dates related to the primary election for
22 the 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 date provided for the filing period applicable to the effective
7 date of each plan applies, but the latest date provided for the date
8 of the general and runoff primary elections of all of the
9 subdivisions applicable to the effective date of a plan shall
10 apply. The county chair shall conduct the drawing to determine the
11 order of the candidates' names on the general primary election
12 ballot in accordance with Section 172.082(c) after the date of the
13 latest applicable filing deadline.

14 (e) If a redistricting plan to which this section applies
15 has not become law on or before February 14, 2022, the general and
16 runoff primary elections for the election of officers for each
17 district for which a plan has become law shall be held on the dates
18 provided by Subsection (c)(3). The secretary of state shall set the
19 dates of the filing period and the general and runoff primary
20 elections for the election of officers of any district for which a
21 plan has not become law on or before February 14, 2022. In setting
22 dates under this section, the secretary of state shall ensure the
23 efficient and orderly administration of elections and shall, to the
24 extent practicable, set dates in a manner that allows the same
25 interval of time in relation to the date of the election as would be
26 provided by the application of other law.

27 (f) A date set for the general primary election under

1 Subsection (c) or (d) shall be the date of any general or primary
2 election held under this code. If Subsection (e) applies, any
3 general or primary election held under this code and for which the
4 date will not be set by the secretary of state under Subsection (e)
5 shall be held in accordance with Subsection (c)(3).

6 (g) Except as provided by this section, the secretary of
7 state shall adjust the schedule for canvassing election returns,
8 declaring results, or performing any other official act relating to
9 an election held on a date under this section as necessary for the
10 efficient and orderly administration of the election. To the
11 extent practicable, the secretary of state shall adjust schedules
12 under this subsection in a manner that allows the same interval of
13 time in relation to the date of the election as would be provided by
14 the application of other law.

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

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