

By: Schofield

H.B. No. 4319

A BILL TO BE ENTITLED

AN ACT

relating to the form of a constitutional amendment on a ballot.

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

SECTION 1. Section 274.001, Election Code, is amended to read as follows:

Sec. 274.001. FORM OF AMENDMENT ON BALLOT. (a) The [~~if the~~] legislature shall [~~fails to~~] prescribe the wording of a [~~the~~] proposition submitting a proposed constitutional amendment [~~, the secretary of state shall prescribe it~~].

(b) The proposition [~~prescribed by the secretary of state~~] must describe the proposed amendment in plain language [~~terms~~] that clearly expresses the [~~express its~~] scope and character of the proposed amendment.

(c) The governor shall include the proposition in the form prescribed under Subsection (a) in the proclamation ordering the election at which the constitutional amendment will be submitted.

(d) If the legislature fails to prescribe specific wording for a proposition to appear on a ballot in plain language, the proposition shall not appear on the ballot.

SECTION 2. The change in law made by this Act applies to a ballot proposition for a constitutional amendment proposed by the legislature on or after the effective date of this Act. A ballot proposition for a constitutional amendment proposed by the legislature before the effective date of this Act is governed by the

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1 law as it existed immediately before the effective date of this Act,  
2 and that law is continued in effect for that purpose.

3 SECTION 3. This Act takes effect September 1, 2023.