

1-1 By: Hughes S.B. No. 747  
 1-2 (In the Senate - Filed February 7, 2023; March 1, 2023, read  
 1-3 first time and referred to Committee on State Affairs;  
 1-4 March 22, 2023, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 2; March 22, 2023,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13		X		
1-14		X		
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 747 By: Hughes

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to the withdrawal of a candidate in a runoff primary  
 1-24 election.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 2.023(a), Election Code, is amended to  
 1-27 read as follows:

1-28 (a) Except as provided by Subsections (b) and (c) or Section  
 1-29 172.059, the candidates in a runoff election are the candidates who  
 1-30 receive the highest and second highest number of votes in the main  
 1-31 election or who tie for the highest number of votes.

1-32 SECTION 2. Section 172.059, Election Code, is amended by  
 1-33 amending Subsections (a) and (c) and adding Subsection (d) to read  
 1-34 as follows:

1-35 (a) A candidate for nomination may not withdraw from the  
 1-36 runoff primary election after 5 p.m. of the fifth [~~3rd~~] day after  
 1-37 the last day on which the state canvass may be conducted for the  
 1-38 election under Section 172.120(b) [~~172.120~~]

1-39 (c) If a runoff candidate withdraws from the election on or  
 1-40 before 5 p.m. of the fifth day after the last day on which the state  
 1-41 canvass may be conducted for the election, the candidate who  
 1-42 received the third highest number of votes in the general primary  
 1-43 election is entitled to a place on the runoff ballot.

1-44 (d) If a runoff candidate withdraws after 5 p.m. of the  
 1-45 fifth day after the last day on which the state canvass may be  
 1-46 conducted for the election, the remaining candidate is the nominee  
 1-47 and the runoff election for that office is not held.

1-48 SECTION 3. The changes in law made by this Act apply to an  
 1-49 election ordered on or after the effective date of this Act. An  
 1-50 election ordered before the effective date of this Act is governed  
 1-51 by the law in effect when the election was ordered, and the former  
 1-52 law is continued in effect for that purpose.

1-53 SECTION 4. This Act takes effect September 1, 2023.

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