

By: Schwertner

S.B. No. 994

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the declaration of a candidate's ineligibility on the
3 basis of failure to pay a filing fee or submit a petition in lieu of
4 a filing fee.

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

6 SECTION 1. Sections 145.003(b) and (f), Election Code, are
7 amended to read as follows:

8 (b) A candidate in the general election for state and county
9 officers may be declared ineligible before the 30th day preceding
10 election day by:

11 (1) the party officer responsible for certifying the
12 candidate's name for placement on the general election ballot, in
13 the case of a candidate who is a political party's nominee; ~~or~~

14 (2) the authority with whom the candidate's
15 application for a place on the ballot is required to be filed, in
16 the case of an independent candidate; or

17 (3) the secretary of state, if the candidate is
18 ineligible under Subsection (f)(3).

19 (f) A candidate may be declared ineligible only if:

20 (1) the information on the candidate's application for
21 a place on the ballot indicates that the candidate is ineligible for
22 the office; ~~or~~

23 (2) facts indicating that the candidate is ineligible
24 are conclusively established by another public record; or

1 (3) the candidate fails to pay the filing fee or submit
2 a petition in lieu of a filing fee.

3 SECTION 2. This Act takes effect September 1, 2023.