

1-1 By: Parker S.B. No. 1089  
 1-2 (In the Senate - Filed February 22, 2023; March 9, 2023,  
 1-3 read first time and referred to Committee on State Affairs;  
 1-4 March 21, 2023, reported favorably by the following vote: Yeas 10,  
 1-5 Nays 0; March 21, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
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 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to repealing the ability to declare certain unopposed  
 1-22 candidates for office as elected.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 2.051(a), Election Code, is amended to  
 1-25 read as follows:

1-26 (a) Except as provided by Section [Sections] 2.055 [and  
 1-27 2.056], this subchapter applies only to an election for officers of  
 1-28 a political subdivision other than a county in which write-in votes  
 1-29 may be counted only for names appearing on a list of write-in  
 1-30 candidates and in which each candidate for an office that is to  
 1-31 appear on the ballot is unopposed, except as provided by Subsection  
 1-32 (b). For purposes of this section, a special election of a  
 1-33 political subdivision is considered to be a separate election with  
 1-34 a separate ballot from:

- 1-35 (1) a general election for officers of the political
- 1-36 subdivision held at the same time as the special election; or
- 1-37 (2) another special election of the political
- 1-38 subdivision held at the same time as the special election.

1-39 SECTION 2. Section 52.092(a), Election Code, is amended to  
 1-40 read as follows:

1-41 (a) Except as provided by Section 2.053(c) [~~or 2.056(e)~~],  
 1-42 for an election at which offices regularly filled at the general  
 1-43 election for state and county officers are to appear on the ballot,  
 1-44 the offices shall be listed in the following order:

- 1-45 (1) offices of the federal government;
- 1-46 (2) offices of the state government:
  - 1-47 (A) statewide offices;
  - 1-48 (B) district offices;
- 1-49 (3) offices of the county government:
  - 1-50 (A) county offices;
  - 1-51 (B) precinct offices.

1-52 SECTION 3. Sections 2.056 and 124.003(e), Election Code,  
 1-53 are repealed.

1-54 SECTION 4. This Act takes effect September 1, 2023.

1-55 \* \* \* \* \*