

BILL ANALYSIS

Senate Research Center

H.B. 1274
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State Affairs
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Engrossed

DIGEST AND PURPOSE

Current law, requires a person circulating a petition for a candidate's place on a ballot to point out and read certain statements to each person who signs the petition and requires each part of the petition to include an affidavit verifying that this was done. These requirements can be difficult and time-consuming to meet and can, some assert, create a burden on petitioners, especially on candidate's required to submit petitions for election and reelection. H.B. 1274 reduces the burdens on petitioners by removing these

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 141.064, Election Code, as follows:

Sec. 141.064. METHOD OF ACQUIRING SIGNATURE. Requires a person circulating a petition to:

- (1) witness each signature;
- (2) ascertain that each date of signing is correct; and
- (3) before the petition is filed, verify each signer's registration status and ascertain that each registration number entered on the petition is correct.

Deletes existing subdivision (1) that reads, "before permitting a person to sign, point out and read to the person each statement pertaining to the signer that appears on the petition;". Renumbers Subdivisions (2) - (4) as (1) - (3).

SECTION 2. Amends Section 141.065(a), Election Code, as follows:

(a) Requires each part of a petition to include an affidavit of the person who circulated it stating that the person:

- (1) witnessed each signature;
- (2) verified each signer's registration status; and
- (3) believes each signature to be genuine and the corresponding information to be correct.

Deletes existing Subdivision (1) that reads "pointed out and read to each signer, before the petition was signed, each statement pertaining to the signer that appears on the petition;". Renumbers Subdivisions (2) - (4) as (1) - (3).

SECTION 3. Effective date: September 1, 2003.

Makes application of this Act prospective.