

## **BILL ANALYSIS**

C.S.H.B. 2684  
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Elections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Current law authorizes a city charter to prescribe requirements in connection with a candidate's application for a place on the ballot for an office of a home-rule city. (application). In 2002, the Texas Supreme Court overturned a longstanding reading of the Texas Election Code by ruling that a city charter could provide a different filing deadline for applications. House Bill 2684 clarifies the Election Code by providing that a home-rule city charter can provide additional requirements regarding a candidate's application but that the charter cannot provide a different deadline or time period for filing of the application.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

House Bill 2684 amends the Election Code by providing that provisions authorizing a city charter to prescribe requirements in connection with a candidate's application for a place on the ballot for an office of a home-rule city (application) do not authorize a city charter requirement in connection with the timely filing of an application. The bill provides that sections relating to the filing period for a candidate for city office supersede any city charter requirements.

### **EFFECTIVE DATE**

On passage, or if the Act does not receive the necessary votes, September 1, 2003.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

CSHB 2684 modifies the original by rewording the provisions prohibiting a city charter from prescribing requirements relating to the filing deadline for a candidate's application for a place on the ballot.