

BILL ANALYSIS

S.B. 757
By: Brimer
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, candidates for a judicial office are required to file a petition for a place on the primary ballot. In addition, those judicial candidates who do not wish to pay a filing fee are authorized to file a separate petition for that purpose. The secretary of state provides two separate forms for these petitions, but the law does not clearly state which form should be used for which purpose. Senate Bill 757 clarifies which petition should be used in each instance.

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

Senate Bill 757 amends the Election Code by clarifying that a judicial candidate who does not wish to pay a filing fee must file a petition in lieu of the filing fee, rather than filing a petition instead of the filing fee, with the application for a place on the ballot. The bill provides that a candidate for judicial office, whether or not the candidate pays the filing fee, must file a petition for a place on the primary ballot with the application for a place on the ballot.

EFFECTIVE DATE

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