

By: Baxter

H.B. No. 1721

A BILL TO BE ENTITLED

AN ACT

relating to eligibility of voters to sign ballot access petitions.

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

SECTION 1. Section 141.064, Election Code, is amended to read as follows:

Sec. 141.064. METHOD OF ACQUIRING SIGNATURE. (a) A person circulating a petition must:

(1) before permitting a person to sign, point out and read to the person each statement pertaining to the signer that appears on the petition;

(2) witness each signature;

(3) ascertain that each date of signing is correct;

and

(4) before the petition is filed, verify each signer's registration status and ascertain that each registration number entered on the petition is correct.

(b) A person circulating a petition may only collect signatures for one political party or independent candidate during a voting year.

SECTION 2. Section 172.026, Election Code, is amended to read as follows:

Sec. 172.026. RESTRICTION ON PETITION SIGNER. (a) On signing a petition to be filed under Section 172.021, the signer becomes ineligible to vote in a primary election or participate in a

1 convention of another political party during the voting year in
2 which the primary election is held.

3 (b) This section does not prohibit the signer of a petition
4 to be filed under Section 172.021 from signing a petition under
5 Section 181.006 or 182.004 during the same voting year.

6 SECTION 3. Sections 181.006(f), (i), and (j), Election
7 Code, are amended to read as follows:

8 (f) The following statement must appear at the top of each
9 page of the petition: "I know that the purpose of this petition is
10 to entitle the _____ (name of political party) Party to have its
11 nominees placed on the ballot in the _____ (year of general
12 election) general election for state and county officers. [~~I have~~
13 ~~not voted in a primary election or participated in a convention of~~
14 ~~another party during this voting year, and I understand that I~~
15 ~~become ineligible to do so by signing this petition. I understand~~
16 ~~that signing more than one petition to entitle a party to have its~~
17 ~~nominees placed on the general election ballot in the same election~~
18 ~~is prohibited.]" Listing the name of more than one political party
19 in the blank on the top of a page of the petition invalidates the
20 signatures on that page.~~

21 (i) Signing a [~~On signing the~~] petition is not considered an
22 act of affiliation with the party circulating[~~, the person becomes~~
23 ~~ineligible to affiliate with another party during the voting year~~
24 ~~in which~~] the petition [~~is signed~~].

25 (j) The petition may not be circulated before the voting
26 year of the election for which the party seeks to qualify to have
27 its nominees placed on the ballot [~~until after the date of the~~

1 ~~party's precinct conventions held under this chapter~~]. A signature
2 obtained [~~on or~~] before that voting year [~~date~~] is invalid.

3 SECTION 4. Section 182.004(f), Election Code, is amended to
4 read as follows:

5 (f) Sections 181.006(f), (i), and (j) [~~181.006(f)-(j)~~]
6 apply to a petition circulated under this section.

7 SECTION 5. Sections 181.006(g) and (h), Election Code, are
8 repealed.

9 SECTION 6. This Act takes effect September 1, 2005.