

By: Giddings

H.B. No. 2017

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the date of the primary election and related  
3 procedures.

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

5 SECTION 1. Sections 41.007(a), (b), and (c), Election Code,  
6 are amended to read as follows:

7 (a) The general primary election date is the first Tuesday  
8 in February [~~March~~] in each even-numbered year.

9 (b) The runoff primary election date is the second Tuesday  
10 in March [~~April~~] following the general primary election.

11 (c) The presidential primary election date is the first  
12 Tuesday in February [~~March~~] in each presidential election year.

13 SECTION 2. Section 141.031, Election Code, is amended to  
14 read as follows:

15 Sec. 141.031. GENERAL REQUIREMENTS FOR APPLICATION. A  
16 candidate's application for a place on the ballot that is required  
17 by this code must:

18 (1) be in writing;

19 (2) be signed and sworn to by the candidate and  
20 indicate the date that the candidate swears to the application;

21 (3) be timely filed with the appropriate authority;  
22 and

23 (4) include:

24 (A) the candidate's name;

1 (B) the candidate's occupation;

2 (C) the office sought, including any place number  
3 or other distinguishing number;

4 (D) an indication of whether the office sought is  
5 to be filled for a full or unexpired term if the office sought and  
6 another office to be voted on have the same title but do not have  
7 place numbers or other distinguishing numbers;

8 (E) a statement that the candidate is a United  
9 States citizen;

10 (F) a statement that the candidate has not been  
11 determined mentally incompetent by a final judgment of a court;

12 (G) a statement that the candidate has not been  
13 finally convicted of a felony from which the candidate has not been  
14 pardoned or otherwise released from the resulting disabilities;

15 (H) the candidate's date of birth;

16 (I) the candidate's residence address or, if the  
17 residence has no address, the address at which the candidate  
18 receives mail and a concise description of the location of the  
19 candidate's residence;

20 (J) the candidate's length of continuous  
21 residence in the state and in the territory from which the office  
22 sought is elected as of the date the candidate swears to the  
23 application;

24 (K) the statement: "I, \_\_\_\_\_, of \_\_\_\_\_  
25 County, Texas, being a candidate for the office of \_\_\_\_\_,  
26 swear that I will support and defend the constitution and laws of  
27 the United States and of the State of Texas"; [~~and~~]

1 (L) a statement that the candidate is aware of  
2 the nepotism law, Chapter 573, Government Code; and

3 (M) a statement that the candidate is aware of  
4 the provisions of Section 65, Article XVI, Texas Constitution.

5 SECTION 3. Section 162.003, Election Code, is amended to  
6 read as follows:

7 Sec. 162.003. AFFILIATION BY VOTING IN PRIMARY. (a) A  
8 person becomes affiliated with a political party when the person:

9 (1) is accepted to vote in the party's primary  
10 election; or

11 (2) applies for and is provided an early voting or  
12 limited primary ballot to be voted by mail.

13 (b) An affiliation under Subsection (a)(2) applies to the  
14 voting year in which the primary election is held.

15 SECTION 4. Section 172.023(a), Election Code, is amended to  
16 read as follows:

17 (a) An application for a place on the general primary  
18 election ballot must be filed not later than 6 p.m. on the 65th day  
19 before the general primary election day [~~January 2 in the primary~~  
20 ~~election year~~] unless the filing deadline is extended under  
21 Subchapter C.

22 SECTION 5. Section 173.010, Election Code, is amended to  
23 read as follows:

24 Sec. 173.010. FURNISHING RULES. During October [~~November~~]  
25 preceding each primary election year, the secretary of state shall  
26 deliver to the state chair and each county chair of each political  
27 party holding a primary election a current set of the rules adopted

1 under this subchapter. If a rule or amendment of a rule is adopted  
2 after delivery of the set, the secretary shall deliver a copy of the  
3 rule or amendment not later than the 10th day after the date of its  
4 adoption.

5 SECTION 6. Section 181.0041, Election Code, is amended to  
6 read as follows:

7 Sec. 181.0041. REGISTRATION OF PARTY REQUIRED. A  
8 political party that intends to make nominations under this chapter  
9 for the general election for state and county officers must  
10 register with the secretary of state, in the manner prescribed by  
11 the secretary, not later than the regular filing deadline for  
12 candidates in the general primary election [~~January 2 of the~~  
13 ~~election year~~].

14 SECTION 7. Section 181.033(a), Election Code, is amended to  
15 read as follows:

16 (a) Except as provided by Subsection (b), an application for  
17 nomination by a convention must be filed not later than the regular  
18 filing deadline for candidates in the general primary election [~~5~~  
19 ~~p.m. on January 2 preceding the convention~~].

20 SECTION 8. Sections 181.061(b) and (c), Election Code, are  
21 amended to read as follows:

22 (b) A party nominating by convention must make its  
23 nominations for offices of districts situated in more than one  
24 county at district conventions held on the second Saturday after  
25 general primary election day [~~the second Tuesday in March~~]. A  
26 district convention consists of delegates selected at the county  
27 conventions held under Subsection (c).

1           (c) A party nominating by convention must make its  
2 nominations for county and precinct offices and for offices of  
3 districts not situated in more than one county at county  
4 conventions held on the first Saturday after general primary  
5 election day [~~the second Tuesday in March~~]. A county convention  
6 consists of delegates selected at precinct conventions held on  
7 general primary election day [~~the second Tuesday in March~~] in the  
8 regular county election precincts.

9           SECTION 9. Section 182.005, Election Code, is amended to  
10 read as follows:

11           Sec. 182.005. NOMINATIONS MADE BY COUNTY CONVENTION. A  
12 political party must make its nominations under this chapter at a  
13 county convention held on the first Saturday after general primary  
14 election day [~~the second Tuesday in March of the election year~~].  
15 The convention consists of delegates selected at precinct  
16 conventions held on general primary election day [~~the second~~  
17 ~~Tuesday in March~~] in the regular county election precincts.

18           SECTION 10. The term of a person who is serving as a county  
19 or precinct chair of a political party on the effective date of this  
20 Act ends on the 20th day after the second Tuesday in March 2008.

21           SECTION 11. This Act takes effect September 1, 2007.