

By: Homer

H.B. No. 2596

A BILL TO BE ENTITLED

AN ACT

relating to the submission of a candidate's application for a place on the ballot.

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

SECTION 1. Section 141.032, Election Code, is amended by amending Subsections (e) and (f) and adding Subsections (g), (h), and (i) to read as follows:

(e) If an application does not comply with the applicable requirements, the authority shall reject the application and immediately deliver to the candidate written notice of the specific defects in the application that were the reason for the rejection.

(f) A candidate whose application is rejected under Subsection (e) may file an amended application to correct the defects identified by the authority as the reason for rejection. The amended application must be filed not later than:

(1) the regular filing deadline for an application for a place on the ballot in the election; or

(2) if the candidate received notice of rejection on or after the day before the last day before the regular filing deadline:

(A) except as provided by Paragraph (B), (C), or (D), 5 p.m. of the 57th day before the date of the election;

(B) 5 p.m. of the 60th day before the general primary election;

1                   (C) 5 p.m. of the 67th day before the election, if  
2 the election is held on the date of the general election for state  
3 or county officers; or

4                   (D) 5 p.m. on a date specified by the secretary of  
5 state, if the election is held to fill a vacancy in the legislature  
6 or congress.

7           (g) On receipt of an amended application that was timely  
8 filed, the authority shall promptly review the amended application  
9 as provided by Subsection (a).

10           (h) A candidate's name may not be placed on the ballot if,  
11 following a rejection under Subsection (e), the candidate fails to  
12 timely submit an amended application that the authority determines  
13 complies with the applicable requirements for an application for a  
14 place on the ballot.

15           (i) This section does not apply to a determination of a  
16 candidate's eligibility.

17           SECTION 2. The change in law made by this Act applies only  
18 to an application submitted for a place on the ballot on or after  
19 the effective date of this Act. An application submitted for a  
20 place on the ballot before the effective date of this Act is  
21 governed by the law in effect when the application was submitted,  
22 and the former law is continued in effect for that purpose.

23           SECTION 3. This Act takes effect September 1, 2007.