

By: Dunnam

H.B. No. 3662

A BILL TO BE ENTITLED

AN ACT

relating to the election of the governor.

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

SECTION 1. Chapter 2, Election Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. ELECTION OF GOVERNOR

Sec. 2.101. VOTE REQUIRED. (a) To be elected governor at the general election of state and county officers, a candidate must receive a majority of the votes cast.

(b) This subchapter applies to the election of governor at the general election for state and county officers and a runoff election is not held.

Sec. 2.102. ADOPTION OF PREFERENTIAL VOTING PROCEDURES.

(a) The secretary of state shall prescribe procedures to allow for the election of the governor using a preferential voting system.

(b) The system must allow a voter to rank each candidate for governor through a numerical designation from the candidate the voter favors most to the candidate the voter favors least.

Sec. 2.103. DETERMINATION OF ELECTION RESULT. (a) If no

candidate receives a majority of the votes cast designating the highest favorable ranking for the office of governor, the votes of the candidate receiving the fewest number of votes are reassigned to the candidate ranking next highest in the preference of a voter.

(b) If after reassigning votes under Subsection (a) no

1 candidate receives a majority of the votes cast designating the  
2 modified highest favorable ranking, the reassignment of a vote to a  
3 voter's next most preferred candidate under Subsection (a)  
4 continues until one candidate receives a majority.

5 (c) If two or more candidates tie for the least number of  
6 votes before a reassignment of votes under Subsection (a) or (b),  
7 the tied candidates shall cast lots to determine which candidate's  
8 votes are reassigned.

9 SECTION 2. This Act takes effect on the date on which the  
10 constitutional amendment proposed by the 80th Legislature, Regular  
11 Session, 2007, allowing general law to provide for the vote  
12 required to be elected governor, takes effect. If that amendment is  
13 not approved by the voters, this Act has no effect.