

By: Miller of Erath

H.B. No. 835

A BILL TO BE ENTITLED

1 AN ACT
2 relating to requiring a candidate for public office to provide
3 proof of citizenship.

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

5 SECTION 1. Section 141.031(a), Election Code, is amended to
6 read as follows:

7 (a) A candidate's application for a place on the ballot that
8 is required by this code must:

9 (1) be in writing;

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

12 (3) be timely filed with the appropriate authority;
13 and

14 (4) include:

15 (A) the candidate's name;

16 (B) the candidate's occupation;

17 (C) the office sought, including any place number
18 or other distinguishing number;

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

23 (E) a statement that the candidate is a United
24 States citizen;

1 (F) a statement that the candidate has not been
2 determined by a final judgment of a court exercising probate
3 jurisdiction to be:

4 (i) totally mentally incapacitated; or

5 (ii) partially mentally incapacitated
6 without the right to vote;

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

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

11 (I) the candidate's residence address or, if the
12 residence has no address, the address at which the candidate
13 receives mail and a concise description of the location of the
14 candidate's residence;

15 (J) the candidate's length of continuous
16 residence in the state and in the territory from which the office
17 sought is elected as of the date the candidate swears to the
18 application;

19 (K) the statement: "I, _____, of
20 _____ County, Texas, being a candidate for the office of
21 _____, swear that I will support and defend the constitution
22 and laws of the United States and of the State of Texas"; [~~and~~]

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

25 (M) proof of the candidate's United States
26 citizenship through a certified copy of a birth certificate or
27 other document that establishes citizenship in a form prescribed by

1 the secretary of state.

2 SECTION 2. The change in law made by this Act applies only
3 to a candidate's application for a place on the ballot that is filed
4 on or after the effective date of this Act.

5 SECTION 3. This Act takes effect September 1, 2009.