

By: Hancock, et al.

H.B. No. 1193

A BILL TO BE ENTITLED

AN ACT

relating to ballot certification of a political party presidential candidate.

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

SECTION 1. Section 192.031, Election Code, is amended to read as follows:

Sec. 192.031. PARTY CANDIDATE'S ENTITLEMENT TO PLACE ON BALLOT. (a) A political party is entitled to have the names of its nominees for president and vice-president of the United States placed on the ballot in a presidential general election if:

(1) the nominees possess the qualifications for those offices prescribed by federal law;

(2) ~~[before 5 p.m. of the 70th day before presidential election day,~~ the party's state chair signs ~~[and delivers to the secretary of state]~~ a written certification of:

(A) the names of the party's nominees for president and vice-president; and

(B) the names and residence addresses of presidential elector candidates nominated by the party, in a number equal to the number of presidential electors that federal law allocates to this state; ~~[and]~~

(3) the party's state chair delivers the written certification to the secretary of state before the later of:

(A) 5 p.m. of the 70th day before presidential

1 election day; or

2 (B) 5 p.m. of the first business day after the
3 date of final adjournment of the party's national presidential
4 nominating convention; and

5 (4) the party is:

6 (A) required or authorized by Subchapter A of
7 Chapter 172 to make its nominations by primary election; or

8 (B) entitled to have the names of its nominees
9 placed on the general election ballot under Chapter 181.

10 (b) If the state chair's certification of the party's
11 nominees is delivered by mail, it is considered to be delivered at
12 the time of its receipt by the secretary of state.

13 SECTION 2. Section 192.033(b), Election Code, is amended to
14 read as follows:

15 (b) The [~~Not later than the 62nd day before presidential~~
16 ~~election day, the~~] secretary of state shall deliver the
17 certification to the authority responsible for having the official
18 ballot prepared in each county before the later of the 62nd day
19 before presidential election day or the second business day after
20 the date of final adjournment of the party's national presidential
21 nominating convention.

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