

1-1 By: Hancock, et al. (Senate Sponsor - Duncan) H.B. No. 1193
1-2 (In the Senate - Received from the House May 13, 2009;
1-3 May 14, 2009, read first time and referred to Committee on State
1-4 Affairs; May 23, 2009, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 23, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to ballot certification of a political party presidential
1-9 candidate.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 192.031, Election Code, is amended to
1-12 read as follows:

1-13 Sec. 192.031. PARTY CANDIDATE'S ENTITLEMENT TO PLACE ON
1-14 BALLOT. (a) A political party is entitled to have the names of
1-15 its nominees for president and vice-president of the United States
1-16 placed on the ballot in a presidential general election if:

1-17 (1) the nominees possess the qualifications for those
1-18 offices prescribed by federal law;

1-19 (2) ~~[before 5 p.m. of the 70th day before presidential~~
1-20 ~~election day,]~~ the party's state chair signs ~~[and delivers to the~~
1-21 ~~secretary of state]~~ a written certification of:

1-22 (A) the names of the party's nominees for
1-23 president and vice-president; and

1-24 (B) the names and residence addresses of
1-25 presidential elector candidates nominated by the party, in a number
1-26 equal to the number of presidential electors that federal law
1-27 allocates to this state; ~~[and]~~

1-28 (3) the party's state chair delivers the written
1-29 certification to the secretary of state before the later of:

1-30 (A) 5 p.m. of the 70th day before presidential
1-31 election day; or

1-32 (B) 5 p.m. of the first business day after the
1-33 date of final adjournment of the party's national presidential
1-34 nominating convention; and

1-35 (4) the party is:

1-36 (A) required or authorized by Subchapter A of
1-37 Chapter 172 to make its nominations by primary election; or

1-38 (B) entitled to have the names of its nominees
1-39 placed on the general election ballot under Chapter 181.

1-40 (b) If the state chair's certification of the party's
1-41 nominees is delivered by mail, it is considered to be delivered at
1-42 the time of its receipt by the secretary of state.

1-43 SECTION 2. Section 192.033(b), Election Code, is amended to
1-44 read as follows:

1-45 (b) ~~The [Not later than the 62nd day before presidential~~
1-46 ~~election day, the]~~ secretary of state shall deliver the
1-47 certification to the authority responsible for having the official
1-48 ballot prepared in each county before the later of the 62nd day
1-49 before presidential election day or the second business day after
1-50 the date of final adjournment of the party's national presidential
1-51 nominating convention.

1-52 SECTION 3. This Act takes effect September 1, 2009.

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