

By: Gonzalez Toureilles

H.B. No. 2574

A BILL TO BE ENTITLED

1 AN ACT

2 relating to eligibility to be a candidate for, or elected or
3 appointed to, a public elective office in this state.

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

5 SECTION 1. Section 141.001(a), Election Code, is amended to
6 read as follows:

7 (a) To be eligible to be a candidate for, or elected or
8 appointed to, a public elective office in this state, a person must:

9 (1) be a United States citizen;

10 (2) be 18 years of age or older on the first day of the
11 term to be filled at the election or on the date of appointment, as
12 applicable;

13 (3) have not been determined by a final judgment of a
14 court exercising probate jurisdiction to be:

15 (A) totally mentally incapacitated; or

16 (B) partially mentally incapacitated without the
17 right to vote;

18 (4) have not been finally convicted of a felony or a
19 misdemeanor under Chapter 21 or 22, Penal Code, from which the
20 person has not been pardoned or otherwise released from the
21 resulting disabilities;

22 (5) have resided continuously in the state for 12
23 months and in the territory from which the office is elected for six
24 months immediately preceding the following date:

1 (A) for a candidate whose name is to appear on a
2 general primary election ballot, the date of the regular filing
3 deadline for a candidate's application for a place on the ballot;

4 (B) for an independent candidate, the date of the
5 regular filing deadline for a candidate's application for a place
6 on the ballot;

7 (C) for a write-in candidate, the date of the
8 election at which the candidate's name is written in;

9 (D) for a party nominee who is nominated by any
10 method other than by primary election, the date the nomination is
11 made; and

12 (E) for an appointee to an office, the date the
13 appointment is made; ~~and~~

14 (6) have not been placed on deferred adjudication
15 community supervision for:

16 (A) a misdemeanor under Chapter 21 or 22, Penal
17 Code; or

18 (B) a felony; and

19 (7) satisfy any other eligibility requirements
20 prescribed by law for the office.

21 SECTION 2. The changes in law made by this Act apply only to
22 the eligibility requirements for a candidate whose term of office
23 will begin on or after the effective date of this Act. The
24 eligibility requirements for a candidate whose term of office will
25 begin before the effective date of this Act are governed by the law
26 in effect immediately before the effective date of this Act, and the
27 former law is continued in effect for that purpose.

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