

BILL ANALYSIS

H.B. 3101
By: Morrison
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties explain that a write-in candidate who has filed to be a candidate in an election has an additional three days to remove the candidate's name from the ballot and that this extra time is not available to the other candidates. The parties contend that these additional three days prevent the election official from completing the ballot and that it is not necessary and serves only to hold back the printing of the ballot and other procedures. The parties further contend that those three days are precious time that an election official needs to get the ballot out in time to military and overseas voters and that the filing deadline for a write-in candidate should be consistent with other candidate filing deadlines. H.B. 3101 seeks to impose this consistency.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3101 amends the Election Code to establish that a filing deadline by which an application for a place on a ballot must be filed applies to a declaration of write-in candidacy for that election.

H.B. 3101 amends the Education Code, Health and Safety Code, and Water Code to make conforming changes.

H.B. 3101 repeals the following provisions of the Election Code:

- Section 144.006
- Sections 146.025(a) and (b)
- Section 146.054
- Section 146.083
- Section 171.0231(d)

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.