

BILL ANALYSIS

C.S.H.B. 3102
By: Morrison
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that precinct, county, and state chairs currently must be elected at their respective conventions in order to serve as convention chairs and that otherwise they do not have an official role at their respective conventions. Such parties assert that, because the elected party official is designated as responsible for preparing convention materials, there may be ambiguity surrounding the duties of the precinct chair, county chair, or state chair if the chair is not elected to serve as chair of the convention. In addition to clarifying the ambiguity surrounding the election of certain convention chairs, interested parties recommend other items in current law that need to be updated, including allowing state parties to adopt their own convention rules, increasing flexibility for taking and administering an oath of affiliation, providing for precinct convention preregistration, and requiring that any items currently required to be posted in writing be posted on a party website. C.S.H.B. 3102 seeks to implement these recommendations.

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

C.S.H.B. 3102 amends the Election Code to set out provisions relating to participation in party affairs, party governance, and party conventions. The bill expands the affiliation requirement for eligibility to participate in certain party affairs to include any other purpose within the party as adopted by state party rules. The bill authorizes a person to affiliate with a political party at any time by taking an oath of affiliation, expands the authority to administer the oath of affiliation to a person who is so authorized by party rule, and establishes that such an authorized person can place the required stamp of the party's name on the person's registration certificate or issue a registration certificate. The bill establishes that a party affiliation made in an odd-numbered year expires on the first day on which a person may file an application for a place on the general primary election ballot. The bill expands the conduct that constitutes the offense of presentation of false evidence of party affiliation to include unlawful participation in other party meetings or events.

C.S.H.B. 3102 authorizes a political party holding a precinct convention to preregister attendees for the convention by electronic means or any other method the party may adopt by rule. The bill authorizes the party to collect certain specified information from precinct convention attendees through the preregistration process. The bill authorizes the party, in a presidential election year, to collect through preregistration declarations of support for presidential candidates or a statement of uncommitted status and authorizes the party by rule to use such information to aid in the selection of delegates to its county or senatorial district convention. The bill requires a political party, if it collects declarations of support for presidential candidates or a statement of uncommitted status through preregistration, to employ a process by which an attendee may change the attendee's stated preference before the precinct convention. The bill sets out procedures for the preregistration process. The bill authorizes a person who does not preregister

for attending a precinct convention to register in person at the convention and requires such a person to have voting rights identical to those of a person who preregistered.

C.S.H.B. 3102 restricts the adoption of a political party's rules, including amendments to rules, rules governing or affecting its general or runoff primary elections, conventions, or nominees, if the state executive committee is expressly required or authorized by statute to adopt a rule, to the state executive committee by permanent rule.

C.S.H.B. 3102 requires all political party rules, temporary or permanent, to be posted on the state party's Internet website. The bill specifies that a party rule on electoral affairs that is to become effective in a year in which the party will hold precinct conventions must be posted on the party's Internet website, in addition to being filed with the secretary of state, not later than the 30th day before the date the party convenes its earliest precinct convention.

C.S.H.B. 3102 requires the county chair to prepare a document that is required to be posted, instead of a sign, stating that an unopposed candidate for precinct chair shall be declared elected to the office of precinct chair at the time of the local canvass. The bill specifies that an entity contracted to hold an election for precinct chair, in addition to the county chair, can distribute the required copies of the document to the presiding judge of the election precinct with the other election supplies.

C.S.H.B. 3102 authorizes the state executive committee for each political party holding a primary election by rule to adopt procedures for filling vacancies on the executive committee. The bill removes a provision requiring a majority of a county executive committee's membership to participate in filling a vacancy and instead requires the state executive committee to adopt rules regarding how many members of the county executive committee constitute a quorum for the purpose of filling such vacancies. The bill, in provisions requiring the county chair to promptly deliver notice of the replacement member's name and address to the state chair and to the county clerk, specifies that such notice can be delivered electronically.

C.S.H.B. 3102 authorizes a political party by rule to allow a county to hold precinct conventions before the county convention on the same day and at the same place as the county convention. The bill authorizes such a rule to modify other statutory provisions relating to precinct conventions as necessary for the county to jointly hold precinct conventions with a county convention.

C.S.H.B. 3102 authorizes precinct conventions to be held at a time and place as determined by rules adopted by the state executive committee of a political party, removes statutory provisions setting out the location and dates for the holding of precinct conventions, and repeals statutory provisions requiring the county executive committee to set the hour and place for convening each precinct convention for the precincts served by the committee. The bill requires the county chair to post notice of the date, hour, and place for convening each precinct convention on the county or state party's Internet website or other Internet location easily found through a search engine and, if the county party does not maintain an Internet website, to post the notice on the county commissioner's bulletin board. The bill requires the county chair to deliver to the county clerk written notice of a precinct convention either on paper or in electronic form.

C.S.H.B. 3102 authorizes a state executive committee of a political party to adopt a rule requiring the precinct chair to be the permanent chair of the precinct convention unless the precinct chair is absent or declines the position. The bill specifies that, if such a rule is not adopted, the precinct chair is the temporary chair of the precinct convention and makes the requirement that the convention select a convention chair contingent on the precinct chair not being the permanent chair. The bill authorizes a precinct convention participant to act as temporary chair if the precinct chair is absent or declines the position, and provides for the selection of a convention chair if a temporary chair is acting as chair. The bill requires the precinct convention chair to use information from preregistration, if the party has adopted a

preregistration process, in preparing a list containing the name and residence address of each person who is admitted to participate in the precinct convention.

C.S.H.B. 3102, in provisions governing precinct convention records, specifies that the county chair is required to retain until the end of the voting year in which they are received copies of the lists of names and residence addresses of the convention delegates and any alternates stored in paper or electronic files. The bill establishes that an electronic submission to the county chair through a system created by party rule constitutes a complete delivery of such lists.

C.S.H.B. 3102 authorizes a political party to adopt rules for holding conventions at any level before and including the state convention and specifies that existing statutory requirements governing party conventions apply if a state executive committee has not adopted other rules. The bill removes and repeals provisions regarding the date, hour, and place for convening county and senatorial district conventions and instead requires such conventions to be held on a day set by a party's state executive committee by rule and requires such rules to allow the committees at each level of convention to set the hour and place for convening their conventions. The bill authorizes the required notice of the hour and place for convening each county and senatorial convention to be posted electronically on the county or state party's Internet website and requires notice of such a convention to be delivered to the county clerk either on paper or in electronic form.

C.S.H.B. 3102 authorizes the state executive committee of a political party to adopt a rule requiring the county chair to be the permanent chair of the county convention or requiring the senatorial district executive committee member or chair of the district executive committee, as applicable, to be the permanent chair of the senatorial district convention, unless the person is absent or declines the position. The bill specifies that if such a rule is not adopted, the county chair is the temporary chair of the county convention and, in a senatorial district situated in more than one county, the senatorial district executive committee member from each county is the temporary chair of the senatorial district convention held in the territory that the committee member represents. The bill, in provisions providing for a delegate to the convention to act as temporary chair if the county chair is absent, applies such provisions to a case in which the temporary chair declines the position. The bill provides for the selection of a convention chair for a county or senatorial district convention if the chair designated under statute is not the permanent chair, is not present, or has declined the position.

C.S.H.B. 3102 establishes that state convention delegates serve as the delegates for all state conventions held until the next general primary election date, rather than during the remainder of the year in which they are selected. The bill authorizes a party's state executive committee to adopt rules concerning voting procedures for any party convention and specifies that existing statutory provisions governing voting procedures apply if a state executive committee fails to adopt such rules. The bill, in provisions governing county and senatorial district conventions, establishes that an electronic submission to the county chair through a system created by party rule constitutes a complete delivery for purposes of recording information regarding delegates and any alternate delegates to the state convention.

C.S.H.B. 3102, in provisions governing the time and place of biennial state conventions, specifies that a biennial state convention is required to be convened on a date selected by the state executive committee, rather than on any day in June or July. The bill removes provisions requiring the state party chair to deliver written notice of the date, hour, and place for convening the biennial state convention to certain state and party officials and instead requires the state party chair to post such information on the party's Internet website.

C.S.H.B. 3102 authorizes a state executive committee of a political party to adopt a rule requiring the state chair to be the permanent chair of the state biennial convention unless the state chair is absent or declines the position. The bill specifies that if such a rule is not adopted, the state chair is the temporary chair of the biennial state convention. The bill makes the

requirement that the convention select a convention chair contingent on the state chair not being the permanent chair. The bill requires the state executive committee to adopt rules concerning the voting procedures for the state biennial convention and specifies that existing provisions governing voting procedures apply if a state executive committee fails to adopt such rules.

C.S.H.B. 3102 specifies that a political party is required to select the delegates at a state convention convened on a date adopted by the state executive committee occurring in the presidential election year, rather than on any day in June of the presidential election year.

C.S.H.B. 3102 repeals Section 174.022(b) and Sections 174.063(b) and (c), Election Code.

EFFECTIVE DATE

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

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3102 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Section 162.001(a), Election Code, is amended.	SECTION 1. Same as introduced version.
SECTION 2. Section 162.008, Election Code, is amended.	SECTION 2. Same as introduced version.
No equivalent provision.	SECTION 3. Section 162.010, Election Code, is amended to read as follows: Sec. 162.010. DURATION OF AFFILIATION. (a) <u>Except as provided by Subsection (b), a [A] party affiliation expires at the end of the voting year in which the person became affiliated.</u> (b) <u>A party affiliation made in an odd-numbered year expires on the first day on which a person may file an application for a place on the general primary election ballot.</u>
SECTION 3. Section 162.011(a), Election Code, is amended.	SECTION 4. Same as introduced version.
SECTION 4. Chapter 162, Election Code, is amended by adding Section 162.017 to read as follows: <u>Sec. 162.017. PREREGISTRATION. (a) A political party holding a precinct convention may preregister attendees for the convention by electronic means or any other</u>	SECTION 5. Chapter 162, Election Code, is amended by adding Section 162.017 to read as follows: <u>Sec. 162.017. PREREGISTRATION. (a) A political party holding a precinct convention may preregister attendees for the convention by electronic means or any other</u>

method the party may adopt by rule.

(b) The party may, through the preregistration process, collect the following information from attendees:

(1) demographic data;

(2) information needed to organize and prepare records of the convention; and

(3) any additional information required by party rule.

(c) In a presidential election year, the party may collect through preregistration declarations of support for presidential candidates or a statement of uncommitted status. The party may by rule use this information to aid in the selection of delegates to its county or senatorial district convention.

(d) If a political party collects declarations through preregistration under Subsection (c), it must employ a process by which an attendee may change the attendee's stated preference before the precinct convention.

(e) The preregistration process must include the statement described by Section 162.004(a) and require a preregistering attendee to affiliate with the party by taking the oath described in Section 162.007(b).

(f) The date and time at which preregistration opens and closes may be set by party rule.

(g) A person who does not preregister to attend a precinct convention under this section may register in person at the convention and must have voting rights identical to those of a person who preregistered.

No equivalent provision.

method the party may adopt by rule.

(b) The party may, through the preregistration process, collect the following information from attendees:

(1) demographic data;

(2) information needed to organize and prepare records of the convention; and

(3) any additional information required by party rule.

(c) In a presidential election year, the party may collect through preregistration declarations of support for presidential candidates or a statement of uncommitted status. The party may by rule use this information to aid in the selection of delegates to its county or senatorial district convention.

(d) If a political party collects declarations of support for presidential candidates or a statement of uncommitted status through preregistration under Subsection (c), it must employ a process by which an attendee may change the attendee's stated preference before the precinct convention.

(e) The preregistration process must include the statement described by Section 162.004(a) and require a preregistering attendee to affiliate with the party by taking the oath described in Section 162.007(b).

(f) The date and time at which preregistration opens and closes may be set by party rule.

(g) A person who does not preregister to attend a precinct convention under this section may register in person at the convention and must have voting rights identical to those of a person who preregistered.

SECTION 6. Section 163.004(a), Election Code, is amended to read as follows:

(a) A political party's rules, including amendments to rules, governing or affecting its general or runoff primary elections, conventions held under this code, or nominees may be adopted only by:

(1) a state convention; or

(2) the state executive committee as:

(A) a temporary rule, if adoption before the next state convention is necessary; or

(B) a permanent rule, if the state executive committee is expressly required or authorized by statute to adopt a rule.

SECTION 5. The heading to Section 163.005, Election Code, is amended.

SECTION 6. Section 163.005, Election Code, is amended.

SECTION 7. Section 163.006(a), Election Code, is amended.

SECTION 8. Section 171.0221(b), Election Code, is amended.

SECTION 9. Sections 171.024(a), (b), and (e), Election Code, are amended.

SECTION 10. Section 174.021, Election Code, is amended to read as follows:

Sec. 174.021. SELECTION OF DELEGATES TO COUNTY AND SENATORIAL DISTRICT

CONVENTIONS. (a) The delegates to a political party's county and senatorial district conventions held under this chapter shall be selected in accordance with party rules at precinct conventions held as provided by this subchapter.

(b) A political party may by rule allow a county with a population of 25,000 or less to hold precinct conventions before the county convention on the same day and at the same place as the county convention. The rule may modify other provisions of this subchapter as necessary for the county to hold precinct conventions as provided by this subsection.

SECTION 11. Sections 174.022(a), (c), and (d), Election Code, are amended to read as follows:

(a) The precinct conventions may be held at a time and place as determined by rules adopted by the political party ~~[in the regular county election precincts on:~~

~~[(1) general primary election day; and
[(2) a date determined by the county executive committee that occurs not later than the fifth day after the date of the general primary election].~~

SECTION 7. Same as introduced version.

SECTION 8. Same as introduced version.

SECTION 9. Same as introduced version.

SECTION 10. Same as introduced version.

SECTION 11. Same as introduced version.

SECTION 12. Section 174.021, Election Code, is amended to read as follows:

Sec. 174.021. SELECTION OF DELEGATES TO COUNTY AND SENATORIAL DISTRICT

CONVENTIONS. (a) The delegates to a political party's county and senatorial district conventions held under this chapter shall be selected in accordance with party rules at precinct conventions held as provided by this subchapter.

(b) A political party may by rule allow a county to hold precinct conventions before the county convention on the same day and at the same place as the county convention. The rule may modify other provisions of this subchapter as necessary for the county to hold precinct conventions as provided by this subsection.

SECTION 13. Sections 174.022(a), (c), and (d), Election Code, are amended to read as follows:

(a) The precinct conventions may be held at a time and place as determined by rules adopted by the ~~state executive committee of a political party~~ [in the regular county election precincts on:

~~[(1) general primary election day; and
[(2) a date determined by the county executive committee that occurs not later than the fifth day after the date of the general primary election].~~

(c) If [~~precinct~~] conventions are held on general primary election day, the hour set for convening the conventions may not be earlier than 7 p.m. or later than 9 p.m., but a convention may not convene until the last voter has voted at the precinct polling place. If [~~precinct~~] conventions are held on a day other than general primary election day, the county executive committee shall set the hour for convening or a time frame in which the conventions must convene.

(d) The place selected for a [~~precinct~~] convention must meet the same requirements for access by the elderly and persons with physical disabilities as a polling place under Section 43.034(a).

SECTION 12. Sections 174.023(a) and (b), Election Code, are amended.

SECTION 13. Sections 174.025(a), (d), and (e), Election Code, are amended to read as follows:

(a) The precinct chair is the [~~temporary~~] chair of the precinct convention held under this subchapter.

(d) The precinct chair or temporary chair shall call the convention to order.

(e) The convention shall select a convention chair, if the precinct chair is absent or declines the position, and a convention secretary. The convention may select any other officers considered necessary to conduct the convention's business.

SECTION 14. Section 174.026, Election Code, is amended.

SECTION 15. Section 174.027, Election Code, is amended.

(c) If [~~precinct~~] conventions are held on general primary election day, the hour set for convening the conventions may not be earlier than 7 p.m. or later than 9 p.m., but a convention may not convene until the last voter has voted at the precinct polling place. If [~~precinct~~] conventions are held on a day other than general primary election day, the county executive committee shall set the hour for convening or a time frame in which the conventions must convene.

(d) The place selected for a [~~precinct~~] convention must meet the same requirements for access by the elderly and persons with physical disabilities as a polling place under Section 43.034(a).

SECTION 14. Same as introduced version.

SECTION 15. Sections 174.025(a), (c), (d), and (e), Election Code, are amended to read as follows:

(a) The state executive committee of a political party may adopt a rule requiring the precinct chair to be the permanent chair of the precinct convention unless the precinct chair is absent or declines the position. If a rule is not adopted under this subsection, the precinct chair is the temporary chair of the precinct convention held under this subchapter.

(c) Before conducting business, the precinct [~~temporary~~] chair shall prepare a list containing the name and residence address of each person who is admitted to participate in the convention.

(d) The precinct [~~temporary~~] chair shall call the convention to order.

(e) The convention shall select a convention chair, if the precinct chair is not the permanent chair, and a convention secretary. The convention may select any other officers considered necessary to conduct the convention's business.

SECTION 16. Same as introduced version.

SECTION 17. Same as introduced version.

SECTION 16. Section 174.062, Election Code, is amended.

SECTION 17. Section 174.063(a), Election Code, is amended.

SECTION 18. Sections 174.064(a) and (b), Election Code, are amended.

SECTION 19. Sections 174.065(a), (b), and (d), Election Code, are amended to read as follows:

(a) The county chair is the [temporary] chair of a county convention held under this subchapter. If a senatorial district is situated in more than one county, the senatorial district executive committee member from each county is the [temporary] chair of the senatorial district convention held in the territory that the committee member represents.

If a senatorial district is not situated in more than one county, the chair of the district executive committee is the [temporary] chair of the senatorial district convention.

(b) If the person designated as [temporary] chair by Subsection (a) is absent or declines the position, a delegate to the convention may act as temporary chair.

(d) The convention shall select a convention chair, if the person listed in Subsection (a) is not present or has declined

SECTION 18. Same as introduced version.

SECTION 19. Same as introduced version.

SECTION 20. Same as introduced version.

SECTION 21. Section 174.065, Election Code, is amended to read as follows:

Sec. 174.065. ORGANIZING THE CONVENTION. (a) The state executive committee of a political party may adopt a rule requiring the county chair to be the permanent chair of the county convention or requiring the senatorial district executive committee member or chair of the district executive committee, as applicable, to be the permanent chair of the senatorial district convention, unless the person is absent or declines the position. If a rule is not adopted under this subsection, the county chair is the temporary chair of a county convention held under this subchapter. If a senatorial district is situated in more than one county, the senatorial district executive committee member from each county is the temporary chair of the senatorial district convention held in the territory that the committee member represents unless the state executive committee has adopted a rule under this subsection. If a senatorial district is not situated in more than one county, the chair of the district executive committee is the temporary chair of the senatorial district convention unless the state executive committee has adopted a rule under this subsection.

(b) If the person designated as [temporary] chair by Subsection (a) is absent or declines the position, a delegate to the convention may act as temporary chair.

(c) The [temporary] chair shall call the convention to order and deliver the lists of delegates prepared under Section 174.027 to the convention.

(d) The convention shall select a convention chair, if the person listed in Subsection (a) is not the permanent chair, is

the position, and a convention secretary from among the delegates present. The convention may select any other officers considered necessary to conduct the convention's business.

SECTION 20. Section 174.067, Election Code, is amended.

SECTION 21. Section 174.068, Election Code, is amended.

SECTION 22. Section 174.069, Election Code, is amended.

SECTION 23. Section 174.092(a), Election Code, is amended.

SECTION 24. Section 174.093, Election Code, is amended.

SECTION 25. Section 174.094, Election Code, is amended to read as follows:
Sec. 174.094. ORGANIZING THE CONVENTION.

(a) The state chair is the temporary chair of the biennial state convention.

(b) The temporary chair shall call the convention to order.

(c) The temporary chair shall prepare a list of the names and residence addresses of the delegates and any alternate delegates to the convention and shall deliver the list to the convention.

(d) The convention shall select [~~a convention chair and~~] a convention secretary. The convention may select any other officers considered necessary to conduct the convention's business.

SECTION 26. Section 174.096, Election

not present, or has declined the position, and a convention secretary from among the delegates present. The convention may select any other officers considered necessary to conduct the convention's business.

SECTION 22. Same as introduced version.

SECTION 23. Same as introduced version.

SECTION 24. Same as introduced version.

SECTION 25. Same as introduced version.

SECTION 26. Same as introduced version.

SECTION 27. Section 174.094, Election Code, is amended to read as follows:
Sec. 174.094. ORGANIZING THE CONVENTION. (a) The state executive committee may adopt a rule requiring the state chair to be the permanent chair of the convention unless the state chair is absent or declines the position. If a rule is not adopted under this subsection, the state chair is the temporary chair of the biennial state convention.

(b) The temporary chair shall call the convention to order.

(c) The temporary chair shall prepare a list of the names and residence addresses of the delegates and any alternate delegates to the convention and shall deliver the list to the convention.

(d) The convention shall select a convention chair, if the state chair is not the permanent chair, and a convention secretary. The convention may select any other officers considered necessary to conduct the convention's business.

SECTION 28. Section 174.096, Election

Code, is amended to read as follows:
Sec. 174.096. VOTING AT CONVENTION. The state executive committee shall adopt rules concerning the voting procedures for the convention. If the state executive committee fails to adopt rules:

(1) the [(a)—The] delegates selected by a particular county or senatorial district convention who attend the biennial state convention are entitled to cast a number of votes equal to as many delegates as that county or senatorial district convention was entitled to select; and [-]

(2) a [(b)—A] person may not vote a proxy for delegates [from more than one county or senatorial district. A person who votes a proxy for a delegate from a county may not do so for a delegate from a senatorial district and vice versa].

SECTION 27. Section 181.063, Election Code, is amended.

SECTION 28. Section 181.066, Election Code, is amended to read as follows:
Sec. 181.066. ORGANIZING PRECINCT CONVENTION. (a)

The precinct chair is the [temporary] chair of a precinct convention held under this chapter. If the precinct chair is absent or declines the position, a participant may act as a temporary chair.

(b) Before conducting business, the precinct chair or temporary chair shall prepare a list containing the name and residence address of each person who is admitted to participate in the convention.

(c) The precinct chair or temporary chair shall call the convention to order.

(d) The convention shall select a convention chair if a temporary chair is acting as chair. The convention may select any other officers considered necessary to conduct the convention's business.

Code, is amended to read as follows:
Sec. 174.096. VOTING AT CONVENTION. The state executive committee shall adopt rules concerning the voting procedures for the convention. If the state executive committee fails to adopt rules:

(1) the [(a)—The] delegates selected by a particular county or senatorial district convention who attend the biennial state convention are entitled to cast a number of votes equal to as many delegates as that county or senatorial district convention was entitled to select; [-]

(2) a [(b)—A] person may not vote a proxy for delegates from more than one county or senatorial district; and

(3) a[-A] person who votes a proxy for a delegate from a county may not do so for a delegate from a senatorial district and vice versa.

SECTION 29. Same as introduced version.

SECTION 30. Section 181.066, Election Code, is amended to read as follows:
Sec. 181.066. ORGANIZING PRECINCT CONVENTION. (a) Unless the state executive committee has adopted rules providing that the precinct chair is the permanent chair, the [The] precinct chair is the temporary chair of a precinct convention held under this chapter. If the precinct chair is absent or declines the position, a participant may act as a temporary chair.

(b) Before conducting business, the precinct chair or temporary chair shall prepare a list containing the name and residence address of each person who is admitted to participate in the convention. In preparing the list, the chair shall use information from preregistration if the party has adopted a preregistration process under Section 162.017.

(c) The precinct chair or temporary chair shall call the convention to order.

(d) The convention shall select a convention chair if a temporary chair is acting as chair. The convention may select any other officers considered necessary to conduct the convention's business.

SECTION 29. Section 181.067, Election Code, is amended.

SECTION 30. Section 191.007, Election Code, is amended to read as follows:

Sec. 191.007. ALLOCATION OF DELEGATES. Each political party holding a presidential primary election shall adopt a rule for allocating delegates:

(1) based on the results of the presidential primary election; or

(2) through the party's state convention.

~~[At least 75 percent of the total number of delegates who are to represent this state at the party's national presidential nominating convention, excluding delegates allocated among party and elected officials, shall be allocated in accordance with the rule among one or more of the candidates whose names appear on the presidential primary election ballot and, if applicable, the uncommitted status.]~~

SECTION 31. Sections 191.031(a) and (c), Election Code, are amended.

SECTION 32. Sections **162.001(b)**, 174.022(b), and 174.063(b) and (c), Election Code, are repealed.

SECTION 33. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 31. Same as introduced version.

No equivalent provision.

SECTION 32. Same as introduced version.

SECTION 33. Sections 174.022(b) and 174.063(b) and (c), Election Code, are repealed.

SECTION 34. Same as introduced version.