

## **BILL ANALYSIS**

S.B. 817  
By: Hegar  
Elections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

S.B. 817 moves the state convention of convention parties where nominees for statewide office are chosen from the second Saturday in June to earlier in the year. Primary parties know who their statewide nominees will be by the end of primary day, the first Tuesday in March. This creates a disparity between primary parties and convention parties in that the statewide nominees of primary parties normally have three additional months of campaigning as the nominee of the party than the nominees of convention parties.

This disparity cannot be eliminated entirely because delegates to state conventions are chosen at county conventions in March, and information about county delegates must be gathered and transmitted to party authorities so that credentialing can be done pursuant to state law. Therefore, the state conventions of convention parties cannot be moved to March.

S.B. 817 amends current law relating to certain requirements for political parties holding conventions and for officers of certain of those parties.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **ANALYSIS**

SECTION 1. Amends Section 161.005, Election Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Requires that a person, to be eligible to be a candidate for or to serve as a county or precinct chair of a political party, except as provided by Subsection (c), not be a candidate for nomination or election to, or be the holder of, an elective office of the federal, state, or county government.

(c) Provides that a candidate for nomination or election to, or the holder of, an elective office of the federal, state, or county government is eligible to serve as a county or precinct chair of a political party to which Chapter 181 (Party With State Organization) applies.

SECTION 2. Amends Section 163.002, Election Code, as follows:

Sec. 163.002. REQUIRED RULES. Requires a political party that makes nominations in this state to adopt rules that:

- (1) prescribe the parliamentary procedure governing the conduct of party meetings and conventions from the precinct level to the state level, including quorums; casting and counting votes; operation of executive committees; appointment and duties of convention committees; and presentation of matters before a convention;
- (2) prescribe the method of selecting the party's presidential elector candidates;
- (3) prescribe the manner of selecting party officers, convention delegates, any convention alternates, and convention officials;
- (4) provide for representative apportionment of party officers, convention delegates, any convention alternates, and convention officials throughout the state on the basis of population, party strength, or both, within the appropriate territorial unit;
- (5) provide for periodic publication and publicizing of party rules; and
- (6) prescribe the manner of adopting party rules and amendments to the rules.

SECTION 3. Amends Section 181.061(a), Election Code, to require a political party nominating by convention to make its nominations for statewide officers at a state convention held on the second Saturday in April, rather than June, of the election year, except that if the Sunday after the second Saturday in April in an election year is the date of the Easter holiday, the state convention is required to be held on the third Saturday in April of that year.

SECTION 4. Effective date: upon passage or September 1, 2013.

**EFFECTIVE DATE**

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