

By: Price

H.B. No. 728

Substitute the following for H.B. No. 728:

By: Morrison

C.S.H.B. No. 728

A BILL TO BE ENTITLED

AN ACT

1
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 or placed on
19 deferred adjudication community supervision for a felony from which
20 the 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) satisfy any other eligibility requirements
15 prescribed by law for the office.

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

23 SECTION 3. This Act takes effect September 1, 2013.