

AN ACT

relating to the administration of primary elections, the nomination of candidates by convention, and voting by certain military and overseas voters.

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

SECTION 1. Section 172.022(b), Election Code, is amended to read as follows:

(b) Not later than the day before the last day of the filing period, the county chair shall post on the political party's Internet website or in the location where a candidate files for a place on the ballot [~~bulletin board used for posting notice of meetings of the commissioners court a~~] notice of the address at which the county chair or secretary will be available to receive applications on the last day of the filing period. If both the county chair and the secretary will be available, the notice must contain the address at which each will be available. Section 1.006 does not apply to this subsection.

SECTION 2. Sections 172.028(a) and (b), Election Code, are amended to read as follows:

(a) Except as provided by Subsection (c), the state chair shall certify to the secretary of state [~~in writing~~] for placement on the general primary election ballot the name of each candidate who files with the chair an application that complies with Section 172.021(b). The secretary of state shall post on the secretary's

1 Internet website that is viewable by the public the certified list.

2 (b) Not later than the 81st day before general primary
3 election day, the state chair shall notify [~~deliver the~~
4 ~~certification to~~] the county chair in each county in which the
5 candidate's name is to appear on the ballot that the certification
6 has been posted by the secretary of state.

7 SECTION 3. Section 172.029, Election Code, is amended to
8 read as follows:

9 Sec. 172.029. SUBMISSION AND COMPILATION OF INFORMATION
10 PERTAINING TO [LIST-OF] CANDIDATES. (a) For each general primary
11 election, the state chair and each county chair shall
12 electronically submit the following information [~~prepare a list~~
13 ~~containing~~]:

14 (1) the name of each candidate who files an
15 application for a place on the ballot with the chair, including an
16 application for the office of a political party;

17 (2) the name of each candidate whose application meets
18 the requirements of Section 172.021 and is accepted by the chair, as
19 the name is to appear on the ballot;

20 (3) [~~(2)~~] the candidate's address as shown on the
21 application; [~~and~~]

22 (4) [~~(3)~~] the date on which the candidate filed the
23 application; and

24 (5) any additional information required by the
25 secretary of state.

26 (b) The secretary of state shall continuously maintain an
27 online database of information submitted under this section. The

1 database must be accessible by the county and precinct chairs of the
2 party that submitted the information. Any changes in the party's
3 county or precinct chairs shall be reported to the secretary of
4 state. The secretary of state shall adopt rules to implement this
5 section, including rules regarding the public availability of
6 information submitted under this section. [~~The candidates' names~~
7 must be grouped on the list according to office.]

8 (c) The secretary of state may by rule prescribe a deadline
9 by which [~~Not later than the 10th day after the date of the regular~~
10 ~~filing deadline for candidates' applications,~~] the state chair must
11 [~~shall~~] deliver the chair's submission regarding a candidate [~~list~~]
12 to the secretary of state, and each county chair shall deliver a
13 copy of the chair's submission regarding a candidate [~~list~~] to the
14 county clerk, the state chair, and the secretary of state when the
15 chair accepts the application. The secretary of state may by rule
16 prescribe a deadline for the delivery of a submission under this
17 subsection.

18 (d) The secretary of state shall be notified if a [A
19 ~~candidate's name must be omitted from the list if, before delivery~~
20 ~~of the list, the~~] candidate withdraws, dies, or is declared
21 ineligible, or if the candidate's application is determined not to
22 comply with the applicable requirements. The secretary of state
23 shall adopt rules implementing this subsection.

24 (e) The secretary of state shall:

25 (1) archive and keep available for inspection a list
26 of all candidates for whom information has been submitted under
27 this section; and

1 (2) prescribe rules for submitting the list
2 electronically and methodology for distribution to each county
3 clerk and state chair [~~shall retain each list received until the day~~
4 ~~after general primary election day~~].

5 SECTION 4. Sections 172.056(a) and (b), Election Code, are
6 amended to read as follows:

7 (a) If the deadline for filing applications is extended, an
8 electronic submission shall be made [~~a list shall be prepared, as~~
9 ~~provided by Section 172.029 for a list of candidates who file during~~
10 ~~the regular filing period,~~] containing the name of each candidate:

11 (1) who files an application that complies with the
12 applicable requirements during the extended filing period; and

13 (2) whose name is not submitted [~~on the list prepared~~]
14 under Section 172.029.

15 (b) Notification shall be made as prescribed by Section
16 172.029 that additional names have been added during the extended
17 period. [~~The list prepared under this section is subject to the~~
18 ~~requirements prescribed by Section 172.029 except that the list~~
19 ~~must be delivered to the secretary of state, county clerk, and state~~
20 ~~chair, as applicable, not later than the seventh day after the date~~
21 ~~of the extended deadline.~~]

22 SECTION 5. Section 172.082(e), Election Code, is amended to
23 read as follows:

24 (e) The county chair shall post notice of the date, hour,
25 and place of the drawing for at least 24 consecutive hours
26 immediately before the drawing begins. The notice shall be posted
27 on the bulletin board used for posting notice of meetings of the

1 commissioners court. If the party maintains an Internet website,
2 the party shall post the notice on the party's website. All
3 candidates who provide an e-mail address on their filing form shall
4 be notified electronically.

5 SECTION 6. Section 172.084(e), Election Code, is amended to
6 read as follows:

7 (e) The notice required by Subsection (d) shall be posted on
8 the bulletin board used for posting notice of meetings of the
9 commissioners court. If the party maintains an Internet website,
10 the party shall post the notice on the party's website. All
11 candidates who provide an e-mail address on their filing form shall
12 be notified electronically.

13 SECTION 7. Sections 172.118(a) and (d), Election Code, are
14 amended to read as follows:

15 (a) Not later than the 20th day after the date the local
16 canvass is completed, the county chair shall deliver written notice
17 to the state chair and to the county clerk of the names of the
18 persons elected as county chair and precinct chairs for the county.
19 This notice may be given by electronic means or through an
20 electronic submission system adopted by the state executive
21 committee of the party.

22 (d) On request of the secretary of state, the state chair
23 shall deliver to the secretary written notice of the names and
24 addresses of the party's county chairs. This notice may be given in
25 electronic format as set out in rules adopted by the secretary of
26 state.

27 SECTION 8. Section 172.119(b), Election Code, is amended to

1 read as follows:

2 (b) The county chair shall deliver the county returns and
3 retain a copy in the same manner as the county returns for a general
4 election are delivered and retained by the county clerk except that
5 the delivery shall be made to the state chair. The state executive
6 committee may adopt by rule an electronic submission system for
7 delivery of the county returns.

8 SECTION 9. Section 172.124, Election Code, is amended by
9 adding Subsection (d) to read as follows:

10 (d) The secretary of state shall create and maintain an
11 electronic system for submission of the report.

12 SECTION 10. Section 172.125(a), Election Code, is amended
13 to read as follows:

14 (a) For a runoff primary election, the voter registrar shall
15 make appropriate notations to indicate [~~enter on the list of~~
16 ~~registered voters a notation beside each voter's name indicating~~]
17 the preceding party primary for which the voter was accepted for
18 voting, if any.

19 SECTION 11. Section 181.033(a), Election Code, is amended
20 to read as follows:

21 (a) Except as provided by Subsection (b), an application for
22 nomination by a convention must be filed not later than the regular
23 deadline for candidates to file applications for a place on the
24 general primary ballot [~~5 p.m. on January 2 preceding the~~
25 ~~convention~~].

26 SECTION 12. (a) The secretary of state shall conduct a
27 study on the effects of changing the presidential primary election

1 date. In conducting the study, the secretary shall consult with all
2 political parties in this state that hold presidential primary
3 elections.

4 (b) The secretary of state shall report the results of this
5 study and make recommendations for any legislation to the 84th
6 Legislature.

7 (c) This section expires June 1, 2015.

8 SECTION 13. Except as otherwise provided by this Act, this
9 Act takes effect immediately if it receives a vote of two-thirds of
10 all the members elected to each house, as provided by Section 39,
11 Article III, Texas Constitution. If this Act does not receive the
12 vote necessary for immediate effect, this Act takes effect
13 September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 3103 was passed by the House on May 7, 2013, by the following vote: Yeas 143, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3103 on May 24, 2013, by the following vote: Yeas 141, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3103 was passed by the Senate, with amendments, on May 22, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor