

By: Morrison

H.B. No. 3103

A BILL TO BE ENTITLED

AN ACT

relating to the administration of primary elections.

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

(b) Not later than the 81st day before general primary

1 election day, the state chair shall notify [~~deliver the~~
2 ~~certification to~~] the county chair in each county in which the
3 candidate's name is to appear on the ballot that the certification
4 has been posted by the secretary of state.

5 SECTION 3. Sections 172.029(a), (d), and (e), Election
6 Code, are amended to read as follows:

7 (a) For each general primary election, the state chair and
8 each county chair shall electronically submit [~~prepare~~] a list
9 containing:

10 (1) the name of each candidate who files an
11 application for a place on the ballot with the chair, including an
12 application for the office of a political party, as the name is to
13 appear on the ballot;

14 (2) the candidate's address as shown on the
15 application; and

16 (3) the date on which the candidate filed the
17 application.

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 the list
26 of all candidates; and

27 (2) prescribe rules for submitting the list

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

4 SECTION 4. Section 172.056(b), Election Code, is amended to
5 read as follows:

6 (b) Notification shall be made as prescribed by Section
7 172.029 that additional names have been added during the extended
8 period. [~~The list prepared under this section is subject to the~~
9 ~~requirements prescribed by Section 172.029 except that the list~~
10 ~~must be delivered to the secretary of state, county clerk, and state~~
11 ~~chair, as applicable, not later than the seventh day after the date~~
12 ~~of the extended deadline.~~]

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

15 (e) The county chair shall post notice of the date, hour,
16 and place of the drawing for at least 24 consecutive hours
17 immediately before the drawing begins. The notice shall be posted
18 on the bulletin board used for posting notice of meetings of the
19 commissioners court. If the party maintains an Internet website,
20 the party shall post the notice on the party's website. All
21 candidates who provide an e-mail address on their filing form shall
22 be notified electronically.

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

25 (e) The notice required by Subsection (d) shall be posted on
26 the bulletin board used for posting notice of meetings of the
27 commissioners court. If the party maintains an Internet website,

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

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

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

13 (d) On request of the secretary of state, the state chair
14 shall deliver to the secretary written notice of the names and
15 addresses of the party's county chairs. This notice may be given in
16 electronic format as set out in rules adopted by the secretary of
17 state.

18 SECTION 8. Section 172.119(b), Election Code, is amended to
19 read as follows:

20 (b) The county chair shall deliver the county returns and
21 retain a copy in the same manner as the county returns for a general
22 election are delivered and retained by the county clerk except that
23 the delivery shall be made to the state chair. The state executive
24 committee may adopt by rule an electronic submission system for
25 delivery of the county returns.

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

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

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

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

10 SECTION 11. Sections 172.028(d) and 172.029(b) and (c),
11 Election Code, are repealed.

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