

BILL ANALYSIS

C.S.H.B. 2775
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Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that case law and recent court rulings regarding the filing and petition process for a candidate's place on the ballot should be incorporated into statute to avoid confusion and to ensure that candidates and affected eligible voters alike are able to easily find all applicable requirements of a petition and the petition process. C.S.H.B. 2775 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 2775 amends the Election Code to specify that a single notarized affidavit by any person who obtained signatures for purposes of a candidate's petition filed in connection with an application for a place on the ballot is valid for all signatures gathered by the person if the date of notarization is on or after the date of the last signature obtained by the person. The bill authorizes a petition to be corrected and additional signatures presented to the appropriate authority after it has been initially filed but not after the deadline for filing the petition.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2775 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 141.065, Election Code, is amended by adding Subsections (c) and (d) to read as follows:
(c) A registered voter of the territory from

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 141.065, Election Code, is amended by adding Subsection (c) to read as follows:

which a candidate seeks to be elected may challenge the candidate's petition or any signatures on the petition. Any challenge must be filed in the appropriate district court before the deadlines established by Section 141.034.

(d) A single notarized affidavit by any person who obtained signatures is valid for all signatures gathered by the person if the date of notarization is after the date of the last signature obtained by the person.

SECTION 2. Subchapter C, Chapter 141, Election Code, is amended.

SECTION 3. The changes in law made by this Act apply to a petition circulated on or after the effective date of this Act. A petition circulated before the effective date of this Act is governed by the law in effect on the date the petition is circulated, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2015.

(c) A single notarized affidavit by any person who obtained signatures is valid for all signatures gathered by the person if the date of notarization is on or after the date of the last signature obtained by the person.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.