

By: Capriglione, Raney, Murr, Howard,
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H.B. No. 484

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of a person to be a candidate for or
holder of certain public elective offices.

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

SECTION 1. Section 141.001, Election Code, is amended by
amending Subsection (a) and adding Subsection (d) to read as
follows:

(a) To be eligible to be a candidate for, or elected or
appointed to, a public elective office in this state, a person must:

(1) be a United States citizen;

(2) be 18 years of age or older on the first day of the
term to be filled at the election or on the date of appointment, as
applicable;

(3) have not been determined by a final judgment of a
court exercising probate jurisdiction to be:

(A) totally mentally incapacitated; or

(B) partially mentally incapacitated without the
right to vote;

(4) have not been finally convicted of a felony from
which the person has not been pardoned or otherwise released from
the resulting disabilities;

(5) have resided continuously in the state for 12
months and in the territory from which the office is elected for six
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) on the date described by Subdivision (5), be
15 registered to vote in the territory from which the office is
16 elected; and

17 (7) satisfy any other eligibility requirements
18 prescribed by law for the office.

19 (d) Subsection (a)(6) does not apply to an appointed member
20 of the governing body of a district created under Section 52(b)(1)
21 or (2), Article III, or Section 59, Article XVI, Texas
22 Constitution.

23 SECTION 2. Chapter 601, Government Code, is amended by
24 adding Section 601.009 to read as follows:

25 Sec. 601.009. ELECTED OFFICER MUST BE REGISTERED VOTER.

26 (a) A person may not qualify for a public elective office unless
27 the person is a registered voter.

1 (b) Subsection (a) does not apply to an office for which the
2 federal or state constitution prescribes exclusive qualification
3 requirements.

4 SECTION 3. The changes in law made by this Act apply only to
5 the eligibility and qualification requirements for a candidate or
6 officer whose term of office will begin on or after the effective
7 date of this Act. The eligibility and qualification requirements
8 for a candidate or officer whose term of office will begin before
9 the effective date of this Act are governed by the law in effect
10 immediately before the effective date of this Act, and the former
11 law is continued in effect for that purpose.

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