

By: Capriglione

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 a public elective office.

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

SECTION 1. Section 141.001(a), Election Code, is amended 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:

(A) for a candidate whose name is to appear on a

1 general primary election ballot, the date of the regular filing
2 deadline for a candidate's application for a place on the ballot;

3 (B) for an independent candidate, the date of the
4 regular filing deadline for a candidate's application for a place
5 on the ballot;

6 (C) for a write-in candidate, the date of the
7 election at which the candidate's name is written in;

8 (D) for a party nominee who is nominated by any
9 method other than by primary election, the date the nomination is
10 made; and

11 (E) for an appointee to an office, the date the
12 appointment is made; ~~and~~

13 (6) on the date described by Subdivision (5), be
14 registered to vote in the territory from which the office is
15 elected; and

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

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

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

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

23 (b) Subsection (a) does not apply to an office for which the
24 federal or state constitution prescribes exclusive qualification
25 requirements.

26 SECTION 3. The changes in law made by this Act apply only to
27 the eligibility and qualification requirements for a candidate or

1 officer whose term of office will begin on or after the effective
2 date of this Act. The eligibility and qualification requirements
3 for a candidate or officer whose term of office will begin before
4 the effective date of this Act are governed by the law in effect
5 immediately before the effective date of this Act, and the former
6 law is continued in effect for that purpose.

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