

By: Miller of Fort Bend

H.B. No. 1978

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the requirements for a candidate's application for a
3 place on the ballot.

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

5 SECTION 1. Section 141.031(a), Election Code, is amended to
6 read as follows:

7 (a) A candidate's application for a place on the ballot that
8 is required by this code must:

9 (1) be in writing;

10 (2) be signed and sworn to before a notary public by
11 the candidate and indicate the date that the candidate swears to the
12 application;

13 (3) be timely filed with the appropriate authority;
14 and

15 (4) include:

16 (A) the candidate's name;

17 (B) the candidate's occupation;

18 (C) the office sought, including any place number
19 or other distinguishing number;

20 (D) an indication of whether the office sought is
21 to be filled for a full or unexpired term if the office sought and
22 another office to be voted on have the same title but do not have
23 place numbers or other distinguishing numbers;

24 (E) a statement that the candidate is a United

1 States citizen;

2 (F) a statement that the candidate has not been
3 determined by a final judgment of a court exercising probate
4 jurisdiction to be:

5 (i) totally mentally incapacitated; or

6 (ii) partially mentally incapacitated
7 without the right to vote;

8 (G) a statement that the candidate has not been
9 finally convicted of a felony from which the candidate has not been
10 pardoned or otherwise released from the resulting disabilities;

11 (H) the candidate's date of birth;

12 (I) the candidate's residence address or, if the
13 residence has no address, the address at which the candidate
14 receives mail and a concise description of the location of the
15 candidate's residence;

16 (J) the candidate's length of continuous
17 residence in the state and in the territory from which the office
18 sought is elected as of the date the candidate swears to the
19 application;

20 (K) the statement: "I, _____, of
21 _____ County, Texas, being a candidate for the office of
22 _____, swear that I will support and defend the constitution
23 and laws of the United States and of the State of Texas"; and

24 (L) a statement that the candidate is aware of
25 the nepotism law, Chapter 573, Government Code.

26 SECTION 2. Section [141.065](#)(a), Election Code, is amended to
27 read as follows:

1 (a) Each part of a petition must include an affidavit of the
2 person who circulated it, executed before a notary public, stating
3 that the person:

4 (1) pointed out and read to each signer, before the
5 petition was signed, each statement pertaining to the signer that
6 appears on the petition;

7 (2) witnessed each signature;

8 (3) verified each signer's registration status; and

9 (4) believes each signature to be genuine and the
10 corresponding information to be correct.

11 SECTION 3. The changes in law made by this Act to Sections
12 [141.031\(a\)](#) and [141.065\(a\)](#), Election Code, apply to an application
13 for a place on the ballot made or a petition circulated on or after
14 the effective date of this Act. An application for a place on the
15 ballot made or a petition circulated before the effective date of
16 this Act is governed by the law in effect on the date the
17 application is made or the petition is circulated, and the former
18 law is continued in effect for that purpose.

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