

By: Rodriguez of Travis

H.B. No. 3110

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to information regarding candidates provided by a  
3 political party to the secretary of state.

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 by the candidate and  
11 indicate the date that the candidate swears to the application;

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

14 (4) include:

15 (A) the candidate's name;

16 (B) the candidate's occupation;

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

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

23 (E) a statement that the candidate is a United  
24 States citizen;

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

4 (i) totally mentally incapacitated; or

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

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

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

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

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

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

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

25 (M) a mailing address and any available  
26 electronic mail address at which the candidate receives  
27 correspondence relating to the candidate's campaign; and

1                    (N) if the candidate maintains a  
2 campaign-related website, the website address.

3            SECTION 2. Section 172.029, Election Code, is transferred  
4 to Chapter 161, Election Code, redesignated as Section 161.011,  
5 Election Code, and amended to read as follows:

6            Sec. 161.011 [~~172.029~~]. SUBMISSION AND COMPILATION OF  
7 INFORMATION PERTAINING TO CANDIDATES. (a) A state chair and each  
8 county chair of a political party nominating candidates by primary  
9 election under Chapter 172 or by convention under Chapter 181 [~~For~~  
10 ~~each general primary election, the state chair and each county~~  
11 ~~chair]~~ shall electronically submit the following information:

12                    (1) the name of each candidate who files an  
13 application for a place on the ballot with the chair, including an  
14 application for the office of a political party;

15                    (2) the name of each candidate who is certified under  
16 Section 172.028 or 181.068 [~~whose application meets the~~  
17 ~~requirements of Section 172.021 and is accepted by the chair]~~, as  
18 the name is to appear on the ballot;

19                    (3) the candidate's address as shown on the  
20 application;

21                    (4) the date on which the candidate filed the  
22 application; [~~and~~]

23                    (5) the candidate's campaign mailing address and any  
24 electronic mail address shown on the application; and

25                    (6) any additional information required by the  
26 secretary of state.

27            (b) The secretary of state shall continuously maintain an

1 online database of information submitted under this section. The  
2 database must be accessible by the county and precinct chairs of the  
3 party that submitted the information. Any changes in the party's  
4 county or precinct chairs shall be reported to the secretary of  
5 state. The secretary of state shall adopt rules to implement this  
6 section, including rules regarding the public availability of  
7 information submitted under this section.

8 (c) The secretary of state may by rule prescribe a deadline  
9 by which the state chair must deliver the chair's submission  
10 regarding a candidate to the secretary of state, and each county  
11 chair shall deliver a copy of the chair's submission regarding a  
12 candidate to the county clerk, the state chair, and the secretary of  
13 state when the chair accepts the application. The secretary of  
14 state may by rule prescribe a deadline for the delivery of a  
15 submission under this subsection.

16 (d) The secretary of state shall be notified if a candidate  
17 withdraws, dies, or is declared ineligible, or if the candidate's  
18 application is determined not to comply with the applicable  
19 requirements. The secretary of state shall adopt rules  
20 implementing this subsection.

21 (e) The secretary of state shall:

22 (1) archive, publicly display, and keep available for  
23 inspection a list of all candidates for whom information has been  
24 submitted under this section; and

25 (2) prescribe rules for:

26 (A) submitting the list electronically; and

27 (B) the maintenance and accessibility of

1 information provided under this section to enable an entity  
2 responsible for printing the ballot for a general primary election,  
3 runoff primary election, or general election to use the list to  
4 create and print the ballots [~~methodology for distribution to each~~  
5 ~~county clerk and state chair~~].

6 (f) A state chair and each county chair of a political party  
7 nominating candidates by primary election under Chapter 172 shall  
8 electronically submit to the secretary of state:

9 (1) the names of the candidates certified as winning  
10 the general primary election;

11 (2) the names of the candidates that will appear on the  
12 runoff primary election ballot; and

13 (3) the names of the candidates certified as winning  
14 the runoff primary election.

15 SECTION 3. This Act takes effect September 1, 2015.