

SENATE AMENDMENTS

2nd Printing

By: Capriglione, Raney, Murr, Howard,
Goldman, et al.

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.

ADOPTED

MAY 22 2015

Atty. Gen.
Secretary of the Senate

By: *Kelly Harmon*

H.B. No. 484

Substitute the following for H.B. No. 484:

By: *[Signature]*

C.S. H.B. No. 484

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(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 a member of the
20 governing body of a district created under Section 52(b)(1) or (2),
21 Article III, or Section 59, Article XVI, Texas Constitution.

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

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

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

27 (b) Subsection (a) does not apply to an office for which the

1 federal or state constitution prescribes exclusive qualification
2 requirements.

3 (c) Subsection (a) does not apply to a member of the
4 governing body of a district created under Section 52(b)(1) or (2),
5 Article III, or Section 59, Article XVI, Texas Constitution.

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

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 22, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB484 by Capriglione (Relating to the eligibility of a person to be a candidate for or holder of certain public elective offices.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code and the Government Code requiring certain persons elected to certain public offices to be registered to vote in the jurisdiction from which their office is elected.

The Secretary of State indicates the provisions of the bill could be implemented within existing resources.

The bill would take effect on September 1, 2015.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State

LBB Staff: UP, SD, AG, CM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 15, 2015

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB484 by Capriglione (Relating to the eligibility of a person to be a candidate for or holder of certain public elective offices.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code and the Government Code requiring certain persons elected to certain public offices to be registered to vote in the jurisdiction from which their office is elected.

The Secretary of State indicates the provisions of the bill could be implemented within existing resources.

The bill would take effect on September 1, 2015.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State

LBB Staff: UP, AG, CM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 12, 2015

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB484 by Capriglione (Relating to the eligibility of a person to be a candidate for or holder of certain public elective offices.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code and the Government Code requiring certain persons elected to certain public offices to be registered to vote in the jurisdiction from which their office is elected.

The Secretary of State indicates the provisions of the bill could be implemented within existing resources.

The bill would take effect on September 1, 2015.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State

LBB Staff: UP, AG, CM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 14, 2015

TO: Honorable Jodie Laubenberg, Chair, House Committee on Elections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB484 by Capriglione (Relating to the eligibility of a person to be a candidate for or holder of a public elective office.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Election Code and the Government Code requiring a person elected to certain public offices be registered to vote in the jurisdiction from which their office is elected.

The Secretary of State indicates the provisions of the bill could be implemented within existing resources.

The bill would take effect on September 1, 2015.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 307 Secretary of State

LBB Staff: UP, AG, EP, CM, KVe