BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that authorizing the entity responsible for preparing the ballots in certain elections to omit from the ballot a candidate who has filed an otherwise valid withdrawal request after the statutory filing deadline under certain conditions would save political subdivisions both time and resources. H.B. 1661 provides for this authorization.

H.B. 1661 amends the Election Code to authorize a certification of unopposed status to be made following the filing of a withdrawal request by a candidate after the statutory deadline for the withdrawal of a candidate in an election other than the general election for state and county officers if the withdrawal request is valid except for the untimely filing, if ballots for the election have not been prepared, and if the conditions for certification are otherwise met. H.B. 1661 requires such a certification made following the filing of a withdrawal request to be delivered to the governing body of the appropriate political subdivision as soon as possible.

H.B. 1661 amends current law relating to a withdrawal of a candidate.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2.052, Election Code, by adding Subsections (c) and (d), as follows:

(c) Authorizes a certification to be made under Subsection (a) (relating to a certain authority certifying that a candidate is unopposed for an election) following the filing of a withdrawal request by a candidate after the deadline prescribed by Section 145.092 (Deadline for Withdrawal) if the withdrawal request is valid except for the untimely filing, ballots for the election have not been prepared, and the conditions for certification under Subsection (a) are otherwise met.

(d) Requires that a certification described by Subsection (c) be delivered to the governing body of the political subdivision as soon as possible.

SECTION 2. Amends Subchapter D, Chapter 145, Election Code, by adding Section 145.098, as follows:

Sec. 145.098. WITHDRAWAL OF CANDIDATE BEFORE BALLOTS ARE PREPARED. Authorizes the authority responsible for preparing the ballots, if a candidate files a withdrawal request after the deadline prescribed by Section 145.092, and the candidate complies with each requirement under Section 145.001 (Withdrawal for Method as Candidate) except that the candidate's filing to withdraw is untimely, to choose to omit the candidate from the ballot if the ballots have not been prepared at the time the candidate files the withdrawal request.

SECTION 3. Effective date: September 1, 2017.