

## **BILL ANALYSIS**

H.B. 1661  
By: Phelan  
Elections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that authorizing the entity responsible for preparing the ballots in certain elections to omit a candidate from the ballot 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 seeks to provide for this authorization.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

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. The bill 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 authorizes the authority responsible for preparing the ballots in an election other than the general election for state and county officers to choose to omit from the ballot a candidate who files a withdrawal request after the withdrawal deadline and who complies with each statutory requirement regarding the method for a candidate's withdrawal except for the untimely filing if the ballots have not been prepared at the time the candidate files the withdrawal request.

### **EFFECTIVE DATE**

September 1, 2017.