

BILL ANALYSIS

H.B. 3180
By: Larson
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that Texas should move up the date of the state's presidential primary election to ensure that Texans have the ability to select their preferred candidate before that candidate may no longer be campaigning on the basis of earlier primary results. H.B. 3180 seeks to give Texans a better chance of selecting the candidate of choice by changing the date of the state's presidential primary election to the fourth Tuesday in January.

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. 3180 amends the Election Code to change the general primary election date from the first Tuesday in March in each even-numbered year to the fourth Tuesday in January in each even-numbered year, the runoff primary election date from the fourth Tuesday in May following the general primary election to the fourth Tuesday in March following the general primary election, and the presidential primary election date from the first Tuesday in March in each presidential election year to the fourth Tuesday in January in each presidential election year.

H.B. 3180 requires the application of a candidate for public office for a place on the ballot to include a statement that the candidate is aware of the automatic resignation provisions of the Texas Constitution. The bill specifies that a person's affiliation with a political party that is established when the person applies for and is provided an early voting or limited primary ballot to be voted by mail applies to the voting year in which the primary election is held. The bill changes the deadline by which an application for a place on the general primary election ballot must be filed from not later than 6 p.m. on the second Monday in December of an odd-numbered year, unless the filing deadline is extended, to not later than 6 p.m. on the second Monday in October of an odd-numbered year unless the filing deadline is extended.

H.B. 3180 changes the month during which the secretary of state is required to deliver a current set of certain rules relating to primary election expenses to the state chair and each county chair of each political party holding a primary election from the November preceding each primary election year to the September preceding each primary election year.

H.B. 3180 changes the deadline by which a political party with a state organization that intends to make nominations by convention for the general election for state and county officers is

required to register with the secretary of state from not later than January 2 of the election year to not later than the regular filing deadline for candidates in the general primary election. The bill changes the date on which the district conventions at which such a party must make its nominations for offices of districts situated in more than one county are held from the second Saturday after the second Tuesday in March to the second Saturday after the general primary election day and the date on which the county conventions at which such a party must make its nominations for county and precinct offices and for offices of districts not situated in more than one county are held from the first Saturday after the second Tuesday in March to the first Saturday after the general primary election day. The bill changes the date on which the precinct conventions at which delegates are selected to constitute the county conventions are held in the regular county election precincts from the second Tuesday in March to the general primary election day.

H.B. 3180 changes the date on which the county convention at which a political party without a state organization must make its nominations is held from the first Saturday after the second Tuesday in March of the election year to the first Saturday after general primary election day. The bill changes the date on which the precinct convention at which delegates are selected to constitute the county convention is held in the regular county election precincts from the second Tuesday in March to the general primary election day.

H.B. 3180 repeals provisions providing for a vacancy in the office of United States senator to be filled at the general election for state and county officers based on when the vacancy occurs and instead requires any unexpired term of such a senator to be filled by a special election in the same manner as provided for a vacancy in the state legislature, with certain exceptions.

H.B. 3180 establishes that the term of a person who is serving as a county or precinct chair of a political party on the bill's effective date ends on the 20th day after the fourth Tuesday in March 2018.

H.B. 3180 repeals Sections 204.003 and 204.004, Election Code.

EFFECTIVE DATE

September 1, 2017.