By: Bell

H.B. No. 204

Substitute the following for H.B. No. 204:

By: Laubenberg

C.S.H.B. No. 204

A BILL TO BE ENTITLED

1   AN ACT

2 relating to placing the name of a deceased or ineligible candidate

3 for public office on the ballot.

4   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5   SECTION 1. Section 145.039, Election Code, is amended to

6 read as follows:

7   Sec. 145.039. DECEASED OR INELIGIBLE CANDIDATE'S NAME TO

8 APPEAR ON GENERAL ELECTION BALLOT. (a) If a candidate dies or is

9 declared ineligible after the 74th day before election day, the

10 candidate's name shall be placed on the ballot.

11   (b) The secretary of state by rule may establish a procedure

12 for issuing a certified notice to voters, to be included in the

13 balloting materials for early voting by mail and given to each voter

14 at each polling place during the early voting period and on election

15 day, that a candidate whose name is printed on the ballot has died

16 or been declared ineligible.

17   SECTION 2. Section 145.065, Election Code, is amended to

18 read as follows:

19   Sec. 145.065. DECEASED OR INELIGIBLE CANDIDATE'S NAME TO

20 APPEAR ON GENERAL ELECTION BALLOT. (a) If a candidate dies or is

21 declared ineligible after the 74th day before election day, the

22 candidate's name shall be placed on the ballot.

23   (b) The secretary of state by rule may establish a procedure

24 for issuing a certified notice to voters, to be included in the

1 balloting materials for early voting by mail and given to each voter

2 at each polling place during the early voting period and on election

3 day, that a candidate whose name is printed on the ballot has died

4 or been declared ineligible.

5 SECTION 3. Section 145.096, Election Code, is amended by

6 adding Subsection (c) to read as follows:

7 (c) The secretary of state by rule may establish a procedure

8 for issuing a certified notice to voters, to be included in the

9 balloting materials for early voting by mail and given to each voter

10 at each polling place during the early voting period and on election

11 day, that a candidate whose name is printed on the ballot has died

12 or been declared ineligible.

13 SECTION 4. Section 172.058, Election Code, is amended by

14 adding Subsection (d) to read as follows:

15 (d) The secretary of state by rule may establish a procedure

16 for issuing a certified notice to voters, to be included in the

17 balloting materials for early voting by mail and given to each voter

18 at each polling place during the early voting period and on election

19 day, that a candidate whose name is printed on the ballot has died

20 or been declared ineligible.

21 SECTION 5. Section 172.060, Election Code, is amended by

22 adding Subsection (c) to read as follows:

23 (c) The secretary of state by rule may establish a procedure

24 for issuing a certified notice to voters, to be included in the

25 balloting materials for early voting by mail and given to each voter

26 at each polling place during the early voting period and on election

27 day, that a candidate whose name is printed on the ballot has died

1   or been declared ineligible.

2   SECTION 6. Section 232.045, Election Code, is amended by

3   adding Subsection (c) to read as follows:

4   (c) The secretary of state by rule may establish a procedure

5   for issuing a certified notice to voters, to be included in the

6   balloting materials for early voting by mail and given to each voter

7   at each polling place during the early voting period and on election

8   day, that a candidate whose name is printed on the ballot has died

9   or been declared ineligible.

10   SECTION 7. This Act takes effect September 1, 2017.