

By: Phelan, Fallon

H.B. No. 1661

A BILL TO BE ENTITLED

AN ACT

relating to a withdrawal of a candidate.

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

SECTION 1. Section 2.052, Election Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) A certification may be made under Subsection (a) following the filing of a withdrawal request by a candidate after the deadline prescribed by Section 145.092 if:

(1) the withdrawal request is valid except for the untimely filing;

(2) ballots for the election have not been prepared;  
and

(3) the conditions for certification under Subsection (a) are otherwise met.

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

SECTION 2. Subchapter D, Chapter 145, Election Code, is amended by adding Section 145.098 to read as follows:

Sec. 145.098. WITHDRAWAL OF CANDIDATE BEFORE BALLOTS ARE PREPARED. 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 except that the candidate's filing to withdraw is untimely, the authority

1 responsible for preparing the ballots may choose to omit the  
2 candidate from the ballot if the ballots have not been prepared at  
3 the time the candidate files the withdrawal request.

4 SECTION 3. This Act takes effect September 1, 2017.