

1-1 By: Miller (Senate Sponsor - Bettencourt) H.B. No. 2157  
 1-2 (In the Senate - Received from the House May 10, 2017;  
 1-3 May 10, 2017, read first time and referred to Committee on State  
 1-4 Affairs; May 18, 2017, reported favorably by the following vote:  
 1-5 Yeas 9, Nays 0; May 18, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the requirements for a candidate's application or  
 1-20 petition for a place on the ballot.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 141.031(a), Election Code, is amended to  
 1-23 read as follows:

1-24 (a) A candidate's application for a place on the ballot that  
 1-25 is required by this code must:

1-26 (1) be in writing;

1-27 (2) be signed and sworn to before a person authorized  
 1-28 to administer oaths in this state by the candidate and indicate the  
 1-29 date that the candidate swears to the application;

1-30 (3) be timely filed with the appropriate authority;  
 1-31 and

1-32 (4) include:

1-33 (A) the candidate's name;

1-34 (B) the candidate's occupation;

1-35 (C) the office sought, including any place number  
 1-36 or other distinguishing number;

1-37 (D) an indication of whether the office sought is  
 1-38 to be filled for a full or unexpired term if the office sought and  
 1-39 another office to be voted on have the same title but do not have  
 1-40 place numbers or other distinguishing numbers;

1-41 (E) a statement that the candidate is a United  
 1-42 States citizen;

1-43 (F) a statement that the candidate has not been  
 1-44 determined by a final judgment of a court exercising probate  
 1-45 jurisdiction to be:

1-46 (i) totally mentally incapacitated; or

1-47 (ii) partially mentally incapacitated  
 1-48 without the right to vote;

1-49 (G) a statement that the candidate has not been  
 1-50 finally convicted of a felony from which the candidate has not been  
 1-51 pardoned or otherwise released from the resulting disabilities;

1-52 (H) the candidate's date of birth;

1-53 (I) the candidate's residence address or, if the  
 1-54 residence has no address, the address at which the candidate  
 1-55 receives mail and a concise description of the location of the  
 1-56 candidate's residence;

1-57 (J) the candidate's length of continuous  
 1-58 residence in the state and in the territory from which the office  
 1-59 sought is elected as of the date the candidate swears to the  
 1-60 application;

1-61 (K) the statement: "I, \_\_\_\_\_, of

2-1 \_\_\_\_\_ County, Texas, being a candidate for the office of  
2-2 \_\_\_\_\_, swear that I will support and defend the constitution  
2-3 and laws of the United States and of the State of Texas";

2-4 (L) a statement that the candidate is aware of  
2-5 the nepotism law, Chapter 573, Government Code; and

2-6 (M) a public mailing address and any available  
2-7 electronic mail address at which the candidate receives  
2-8 correspondence relating to the candidate's campaign.

2-9 SECTION 2. Section 141.065, Election Code, is amended by  
2-10 amending Subsection (a) and adding Subsection (c) to read as  
2-11 follows:

2-12 (a) Each part of a petition must include an affidavit of the  
2-13 person who circulated it, executed before a person authorized to  
2-14 administer oaths in this state, stating that the person:

2-15 (1) pointed out and read to each signer, before the  
2-16 petition was signed, each statement pertaining to the signer that  
2-17 appears on the petition;

2-18 (2) witnessed each signature;

2-19 (3) verified each signer's registration status; and

2-20 (4) believes each signature to be genuine and the  
2-21 corresponding information to be correct.

2-22 (c) A single notarized affidavit by any person who obtained  
2-23 signatures is valid for all signatures gathered by the person if the  
2-24 date of notarization is on or after the date of the last signature  
2-25 obtained by the person.

2-26 SECTION 3. The changes in law made by this Act to Sections  
2-27 141.031(a) and 141.065(a), Election Code, apply to an application  
2-28 for a place on the ballot made or a petition circulated on or after  
2-29 the effective date of this Act. An application for a place on the  
2-30 ballot made or a petition circulated before the effective date of  
2-31 this Act is governed by the law in effect on the date the  
2-32 application is made or the petition is circulated, and the former  
2-33 law is continued in effect for that purpose.

2-34 SECTION 4. This Act takes effect September 1, 2017.

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