

By: Larson

H.B. No. 3180

A BILL TO BE ENTITLED

AN ACT

relating to the date of the primary election and related procedures.

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

SECTION 1. Sections 41.007(a), (b), and (c), Election Code, are amended to read as follows:

(a) The general primary election date is the fourth [~~first~~] Tuesday in January [~~March~~] in each even-numbered year.

(b) The runoff primary election date is the fourth Tuesday in March [~~May~~] following the general primary election.

(c) The presidential primary election date is the fourth [~~first~~] Tuesday in January [~~March~~] in each presidential election year.

SECTION 2. Section 141.031(a), Election Code, is amended to read as follows:

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

(1) be in writing;

(2) be signed and sworn to by the candidate and indicate the date that the candidate swears to the application;

(3) be timely filed with the appropriate authority; and

(4) include:

(A) the candidate's name;

- 1 (B) the candidate's occupation;
- 2 (C) the office sought, including any place number
3 or other distinguishing number;
- 4 (D) an indication of whether the office sought is
5 to be filled for a full or unexpired term if the office sought and
6 another office to be voted on have the same title but do not have
7 place numbers or other distinguishing numbers;
- 8 (E) a statement that the candidate is a United
9 States citizen;
- 10 (F) a statement that the candidate has not been
11 determined by a final judgment of a court exercising probate
12 jurisdiction to be:
- 13 (i) totally mentally incapacitated; or
14 (ii) partially mentally incapacitated
15 without the right to vote;
- 16 (G) a statement that the candidate has not been
17 finally convicted of a felony from which the candidate has not been
18 pardoned or otherwise released from the resulting disabilities;
- 19 (H) the candidate's date of birth;
- 20 (I) the candidate's residence address or, if the
21 residence has no address, the address at which the candidate
22 receives mail and a concise description of the location of the
23 candidate's residence;
- 24 (J) the candidate's length of continuous
25 residence in the state and in the territory from which the office
26 sought is elected as of the date the candidate swears to the
27 application;

(K) the statement: "I, _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the constitution and laws of the United States and of the State of Texas";

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

(M) a public mailing address and any available electronic mail address at which the candidate receives correspondence relating to the candidate's campaign; and

(N) a statement that the candidate is aware of the provisions of Section 65, Article XVI, Texas Constitution.

SECTION 3. Section 162.003, Election Code, is amended to read as follows:

Sec. 162.003. AFFILIATION BY VOTING IN PRIMARY. (a) A person becomes affiliated with a political party when the person:

(1) is accepted to vote in the party's primary election; or

(2) applies for and is provided an early voting or limited primary ballot to be voted by mail.

(b) An affiliation under Subsection (a)(2) applies to the voting year in which the primary election is held.

SECTION 4. Section 172.023(a), Election Code, is amended to read as follows:

(a) An application for a place on the general primary election ballot must be filed not later than 6 p.m. on the second Monday in October ~~December~~ of an odd-numbered year unless the filing deadline is extended under Subchapter C.

SECTION 5. Section 173.010, Election Code, is amended to read as follows:

Sec. 173.010. FURNISHING RULES. During September ~~[November]~~ preceding each primary election year, the secretary of state shall deliver to the state chair and each county chair of each political party holding a primary election a current set of the rules adopted under this subchapter. If a rule or amendment of a rule is adopted after delivery of the set, the secretary shall deliver a copy of the rule or amendment not later than the 10th day after the date of its adoption.

SECTION 6. Section 181.0041, Election Code, is amended to read as follows:

Sec. 181.0041. REGISTRATION OF PARTY REQUIRED. A political party that intends to make nominations under this chapter for the general election for state and county officers must register with the secretary of state, in the manner prescribed by the secretary, not later than the regular filing deadline for candidates in the general primary election ~~[January 2 of the election year]~~.

SECTION 7. Sections 181.061(b) and (c), Election Code, are amended to read as follows:

(b) A party nominating by convention must make its nominations for offices of districts situated in more than one county at district conventions held on the second Saturday after general primary election day ~~[the second Tuesday in March]~~. A district convention consists of delegates selected at the county conventions held under Subsection (c).

(c) A party nominating by convention must make its

1 nominations for county and precinct offices and for offices of
2 districts not situated in more than one county at county
3 conventions held on the first Saturday after general primary
4 election day [~~the second Tuesday in March~~]. A county convention
5 consists of delegates selected at precinct conventions held on
6 general primary election day [~~the second Tuesday in March~~] in the
7 regular county election precincts.

8 SECTION 8. Section 182.005, Election Code, is amended to
9 read as follows:

10 Sec. 182.005. NOMINATIONS MADE BY COUNTY CONVENTION. A
11 political party must make its nominations under this chapter at a
12 county convention held on the first Saturday after general primary
13 election day [~~the second Tuesday in March of the election year~~].
14 The convention consists of delegates selected at precinct
15 conventions held on general primary election day [~~the second~~
16 ~~Tuesday in March~~] in the regular county election precincts.

17 SECTION 9. Section 204.005, Election Code, is amended to
18 read as follows:

19 Sec. 204.005. VACANCY FILLED AT SPECIAL ELECTION. An [~~If a~~
20 ~~vacancy occurs during an odd-numbered year or after the 62nd day~~
21 ~~before general primary election day in an even-numbered year, the~~
22 ~~remainder of the~~] unexpired term shall be filled by a special
23 election in the same manner as provided by Chapter 203 for the
24 legislature, except that:

25 (1) the minimum number of signatures that must appear
26 on a petition accompanying a candidate's application for a place on
27 the ballot is 5,000; and

1 (2) Section 203.013 does not apply.

2 SECTION 10. Sections 204.003 and 204.004, Election Code,
3 are repealed.

4 SECTION 11. The term of a person who is serving as a county
5 or precinct chair of a political party on the effective date of this
6 Act ends on the 20th day after the fourth Tuesday in March 2018.

7 SECTION 12. This Act takes effect September 1, 2017.