

By: Zaffirini
(Schofield)

S.B. No. 44

Substitute the following for S.B. No. 44:

By: Laubenberg

C.S.S.B. No. 44

A BILL TO BE ENTITLED

1 AN ACT
2 relating to requirements relating to an application for a place on
3 the ballot.

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

5 SECTION 1. Section 141.032(c), Election Code, is amended to
6 read as follows:

7 (c) If an application is accompanied by a petition, the
8 petition is considered part of the application, and the review
9 shall be completed as soon as practicable after the date the
10 application is received by the authority. However, the petition is
11 not considered part of the application for purposes of determining
12 compliance with the requirements applicable to each document, and a
13 deficiency in the requirements for one document may not be remedied
14 by the contents of the other document. Unless the petition is
15 challenged, the authority is only required to review the petition
16 for facial compliance with the applicable requirements as to form,
17 content, and procedure.

18 SECTION 2. Section 141.034, Election Code, is amended by
19 amending Subsection (a) and adding Subsection (c) to read as
20 follows:

21 (a) An application for a place on the ballot may not be
22 challenged for compliance with the applicable requirements as to
23 form, content, and procedure after the day before any ballot to be
24 voted early by mail is mailed to an address in the authority's

1 jurisdiction [~~the beginning of early voting by personal appearance~~]
2 for the election for which the application is made.

3 (c) A challenge must state with specificity how the
4 application does not comply with the applicable requirements as to
5 form, content, and procedure. The authority's review of the
6 challenge is limited to the specific items challenged and any
7 response filed with the authority by the challenged candidate.

8 SECTION 3. Section [172.021](#), Election Code, is amended by
9 adding Subsections (e) and (g) to read as follows:

10 (e) A candidate for an office specified by Section
11 [172.024](#)(a)(8), (10), or (12), or for justice of the peace in a
12 county with a population of more than 1.5 million, who chooses to
13 pay the filing fee must also accompany the application with a
14 petition for a place on the primary ballot as a candidate for
15 judicial office that complies with the requirements prescribed for
16 the petition authorized by Subsection (b), except that the minimum
17 number of signatures that must appear on the petition required by
18 this subsection is 250. If the candidate chooses to file the
19 petition authorized by Subsection (b) in lieu of the filing fee, the
20 minimum number of signatures required for that petition is
21 increased by 250. Signatures on a petition filed under this
22 subsection or Subsection (b) by a candidate covered by this
23 subsection may not be obtained on the grounds of a county courthouse
24 or courthouse annex.

25 (g) A candidate for the office of chief justice or justice,
26 supreme court, or presiding judge or judge, court of criminal
27 appeals, who chooses to pay the filing fee must also accompany the

1 application with a petition that complies with the requirements
2 prescribed for a petition authorized by Subsection (b), except that
3 the minimum number of signatures that must appear on the petition
4 required by this subsection is 50 from each court of appeals
5 district.

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