

By: Taylor of Collin

S.B. No. 374

A BILL TO BE ENTITLED

AN ACT

relating to the time period for the withdrawal of a candidate for a general primary election.

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

SECTION 1. Section 172.052(a), Election Code, is amended to read as follows:

(a) A candidate for nomination may not withdraw from the general primary election after the third [~~first~~] day after the date of the regular filing deadline for the general primary election.

SECTION 2. Section 172.054(a), Election Code, is amended to read as follows:

(a) The deadline for filing an application for a place on the general primary election ballot is extended as provided by this section if a candidate who has made an application that complies with the applicable requirements:

(1) dies on or after the fifth day before the date of the regular filing deadline and on or before the first day after the date of the regular filing deadline;

(2) holds the office for which the application was made and:

(A) withdraws on or before the third day after the date of the regular filing deadline; or

(B) is declared ineligible on the date of the regular filing deadline or the first day after the date of the

1 regular filing deadline; or

2 (3) withdraws or is declared ineligible during the
3 period prescribed by Subdivision (2)(A) or (B), as applicable
4 ~~[(2)]~~, and at the time of the withdrawal or declaration of
5 ineligibility no other candidate has made an application that
6 complies with the applicable requirements for the office sought by
7 the withdrawn or ineligible candidate.

8 SECTION 3. Section [172.057](#), Election Code, is amended to
9 read as follows:

10 Sec. 172.057. WITHDRAWN, DECEASED, OR INELIGIBLE
11 CANDIDATE'S NAME OMITTED FROM GENERAL PRIMARY BALLOT. A
12 candidate's name shall be omitted from the general primary election
13 ballot if the candidate ~~[withdraws]~~ dies~~[7]~~ or is declared
14 ineligible on or before the first day after the date of the regular
15 filing deadline or withdraws on or before the third day after the
16 date of the regular filing deadline.

17 SECTION 4. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section [39](#), Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2017.