

By: Bettencourt, Nichols

S.B. No. 412

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requiring a presidential elector to vote for the
3 candidates for president and vice president who won the popular
4 vote in this state for those offices.

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

6 SECTION 1. Section 192.003, Election Code, is amended to
7 read as follows:

8 Sec. 192.003. METHOD OF BECOMING ELECTOR CANDIDATE. To
9 become a presidential elector candidate or alternate elector, a
10 person must be nominated as a political party's elector candidate
11 or alternate elector in accordance with party rules or named as an
12 elector candidate or alternate elector by an independent or
13 write-in candidate for president.

14 SECTION 2. Section 192.006, Election Code, is amended by
15 amending Subsection (a) and adding Subsection (d) to read as
16 follows:

17 (a) The electors and alternate electors shall convene at the
18 State Capitol at 2 p.m. on the first Monday after the second
19 Wednesday in December following their election and shall perform
20 their duties as prescribed by federal law.

21 (d) An elector must cast a ballot for a candidate for
22 president or vice-president that corresponds to the candidates who
23 received the most votes cast in this state for those offices. An
24 attempt to cast a ballot in a manner other than the manner required

1 by this subsection:

2 (1) is not valid and is not considered a vote cast by
3 an elector; and

4 (2) creates a vacancy in the position of the elector
5 attempting to cast the ballot.

6 SECTION 3. Section 192.007, Election Code, is amended by
7 adding Subsection (c) to read as follows:

8 (c) A replacement elector for a vacancy created under
9 Section 192.006(d)(2) must be from the list of alternate electors
10 described by Section 192.031(c) or 192.032(i).

11 SECTION 4. Section 192.008(a), Election Code, is amended to
12 read as follows:

13 (a) In performing their official duties, presidential
14 electors and alternate electors are entitled to the same allowances
15 for travel expenses as those granted to state employees.

16 SECTION 5. Section 192.031, Election Code, is amended by
17 adding Subsection (c) to read as follows:

18 (c) The party's state chair may provide a list of alternate
19 electors for a vacancy created under Section 192.006(d)(2) in a
20 number not to exceed the number of electors described by Subsection
21 (a)(2)(B).

22 SECTION 6. Section 192.032, Election Code, is amended by
23 adding Subsection (i) to read as follows:

24 (i) An independent candidate may provide a list of alternate
25 electors for a vacancy created under Section 192.006(d)(2) in a
26 number not to exceed the number of electors described by Subsection
27 (b)(2) of this section.

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