**BILL ANALYSIS**

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| Senate Research Center | H.B. 831 |
|  | By: Huberty (Huffman) |
|  | State Affairs |
|  | 5/16/2019 |
|  | Engrossed |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

There have been calls to update the continuous residency requirement for a person to be eligible for public elective office in light of recent electoral campaigns. H.B. 831 seeks to provide for that update relating to a person's claim of the intent to return to a residence after a temporary absence.

H.B. 831 amends current law relating to the residency requirement to be eligible for public office.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 141.001, Election Code, by adding Subsections (a-1), (a-2), and (a-3), as follows:

(a-1) Authorizes a person who claims an intent to return to a residence after a temporary absence, for purposes of satisfying the continuous residency requirement of Subsection (a)(5), to establish that intent only if the person:

(1) has made a reasonable and substantive attempt to effectuate that intent; and

(2) has a legal right and the practical ability to return to the residence.

(a-2) Provides that Subsection (a-1) does not apply to a person displaced from the person's residence due to a declared local, state, or national disaster.

(a-3) Requires the authority with whom an application for a place on a general primary election ballot is filed under Section 172.022 (Authority With Whom Application Filed) to, to the extent permitted by law, use Subsections (a) (relating to requiring a person, to be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, to meet certain requirements) and (a-1) in determining whether a candidate meets the residency requirements for a public elective office.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: January 1, 2020.