86R10929 GRM-F

By:  Cortez H.B. No. 2640

A BILL TO BE ENTITLED

AN ACT

relating to political parties.

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

SECTION 1.  Section 67.017(a), Election Code, is amended to read as follows:

(a)  After each election for an [~~a statewide~~] office other than a party [~~or the~~] office [~~of United States representative, state senator, or state representative~~], the county clerk shall prepare a report of the number of votes, including early voting votes, received in each county election precinct for each candidate for each of those offices. In a presidential election year, the report must include the number of votes received in each precinct for each set of candidates for president and vice-president of the United States. For any other election, the presiding officer of the canvassing authority shall prepare a report of the precinct results as contained in the election register.

SECTION 2.  Section 161.008(b), Election Code, is amended to read as follows:

(b)  Not later than the 68th day before general election day, the secretary of state shall deliver the certification to the authority responsible for having the official general election ballot prepared in each county in which the candidate's name is to appear on the ballot. The secretary of state may deliver the certification by notifying the authority that the candidates posted on the secretary of state's Internet website are the candidates certified.

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

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

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

(2)  returns [~~applies for and is provided~~] an early voting or limited primary ballot as a marked ballot [~~to be~~] voted by mail.

SECTION 4.  Section 162.004, Election Code, is amended by adding Subsection (a-1) and amending Subsections (b) and (c) to read as follows:

(a-1)  An election officer is not required to stamp a voter registration certificate with a party affiliation under Subsection (b) or provide an affiliation certificate under Subsection (c) unless, not later than the 90th day before the date of the primary election, the county chair notifies the county clerk that the chair requires a stamped voter registration certificate or affiliation certificate for verification of attendance at a precinct convention.

(b)  Subject to Subsection (a-1), an [~~An~~] election officer at a primary election polling place shall stamp the party's name in the party affiliation space of the registration certificate of each voter who presents the voter's registration certificate and is accepted to vote unless the party name has already been stamped in the space.

(c)  Subject to Subsection (a-1), if [~~If~~] a voter is accepted to vote without presenting a registration certificate, the presiding judge shall issue the voter an affiliation certificate. The certificate is not required to be issued to a voter in a runoff primary unless the voter requests it. The affiliation certificate may be combined with the notice provided under Section 172.1114. If the combined form is used, an election officer is not required to comply with Subsection (b).

SECTION 5.  Section 162.005, Election Code, is amended to read as follows:

Sec. 162.005.  AFFILIATION PROCEDURE: EARLY VOTING BY MAIL. If the county chair provides notice to the early voting clerk in the manner described by Section 162.004(a-1), the [~~The~~] early voting clerk in a general primary election shall provide an affiliation certificate with each early voting or limited ballot to be voted by mail. The certificate is not required to be provided to an applicant for a runoff primary ballot unless the applicant requests it.

SECTION 6.  Section 162.007, Election Code, is amended by adding Subsection (b-1) and amending Subsection (c) to read as follows:

(b-1)  The temporary chair may administer the oath under Subsection (b) in writing on the same list used to sign in for convention attendance.

(c)  After administering the oath, the temporary chair may [~~shall~~] request the person's registration certificate and stamp the party's name in the party affiliation space unless the party name has already been stamped in the space. If the person does not present a registration certificate, the temporary chair on the person's request may [~~shall~~] issue the person an affiliation certificate.

SECTION 7.  Section 162.008(c), Election Code, is amended to read as follows:

(c)  After administering the oath, the committee member or authorized person may [~~shall~~] stamp the party's name on the person's registration certificate or issue the person an affiliation certificate as provided by Section 162.007(c).

SECTION 8.  Section 163.004, Election Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows:

(b)  A temporary rule must be considered by the first state convention following its adoption. The state convention may rescind, modify, or ratify the temporary rule. If the state convention fails to act, the temporary rule becomes permanent [~~expires on the day after the date the convention adjourns~~].

(d)  The state executive committee may establish procedures to adopt rules by any method approved by a two-thirds vote of the executive committee.

SECTION 9.  The heading to Section 163.005, Election Code, is amended to read as follows:

Sec. 163.005.  [~~FILING AND~~] POSTING RULES[~~; EFFECTIVE DATE~~].

SECTION 10.  Section 171.002, Election Code, is amended to read as follows:

Sec. 171.002.  COMMITTEE COMPOSITION. (a) The state executive committee consists of two members from each state senatorial district or congressional district, as determined by state executive committee rule. One of each district's members must be a man and the other a woman.

(b)  In addition to the members representing the senatorial districts, the committee has a chair and a vice chair[~~, one of whom must be a man and the other a woman~~]. Except as otherwise provided by party rule, the chair and vice chair are considered members of the committee.

(c)  The chair, vice chair, and members representing the senatorial or congressional districts are elected at the party's biennial state convention. However, the chair, vice chair, and members may be elected for four-year terms at the state convention held in gubernatorial election years. Each holds office until a successor is elected and assumes office.

(d)  The members elected to represent a particular senatorial or congressional district must be those recommended by the convention delegates representing that senatorial or congressional district.

SECTION 11.  Section 171.003(c), Election Code, is amended to read as follows:

(c)  To be eligible to serve as a replacement to fill a vacancy in a membership representing a senatorial or congressional district, a person must reside in the district.

SECTION 12.  Section 171.004, Election Code, is amended to read as follows:

Sec. 171.004.  PROXY. (a) To participate in a state executive committee meeting as a proxy for a member representing a senatorial or congressional district, a person must reside in that district.

(b)  Except as otherwise provided by party rule, a [~~A~~] person may not hold more than one proxy at any meeting.

SECTION 13.  Section 171.022(a), Election Code, is amended to read as follows:

(a)  A county executive committee consists of:

(1)  a county chair, who is the presiding officer, elected at the general primary election by majority vote of the qualified voters of the county who vote in the primary on that office, [~~or~~] appointed by the county executive committee as provided by this subchapter, or elected or appointed by another method of election or appointment as provided by party rule; and

(2)  a precinct chair from each county election precinct, elected at the general primary by majority vote of the qualified voters of the precinct who vote in the primary on that office, subject to Section 171.0221, [~~or~~] appointed by the county executive committee as provided by this subchapter, or elected or appointed by another method of election or appointment as provided by party rule.

SECTION 14.  The heading to Section 171.0221, Election Code, is amended to read as follows:

Sec. 171.0221.  ELECTION NOT HELD FOR OFFICE OF COUNTY CHAIR OR PRECINCT CHAIR.

SECTION 15.  Sections 171.0221(a) and (b), Election Code, are amended to read as follows:

(a)  If only one candidate's name is to be placed on the ballot for the office of county chair or precinct chair and no candidate's name is to be placed on the list of write-in candidates for that office, the election for that office is not held, and the unopposed candidate, if otherwise eligible, shall be declared elected to the office at the time of the local canvass.

(b)  The county chair shall prepare a document that shall be posted that states:  "Pursuant to Section 171.0221, Election Code, (insert name of unopposed candidate for precinct chair), if otherwise eligible, shall be declared elected to the office of county chair or precinct chair at the time of the local canvass."  The county chair or entity contracted to hold the election shall distribute copies of the document to the presiding judge of the election precinct with the other election supplies.  An election officer shall post the document in one or more locations in the polling place where it can be read by persons waiting to vote.

SECTION 16.  Section 171.0231, Election Code, is amended to read as follows:

Sec. 171.0231.  WRITE-IN CANDIDATE FOR COUNTY CHAIR OR PRECINCT CHAIR. (a) Write-in candidates are not permitted for county chair or precinct chair unless a county executive committee authorizes write-in candidates.

(b)  If the county executive committee authorizes write-in candidates:

(1)  a [~~(a) A~~] write-in vote for the office of county chair or precinct chair may not be counted unless the name written in appears on the list of write-in candidates;

(2)  to[~~.~~

[~~(b)  To~~] be entitled to a place on the list of write-in candidates, a candidate must make a declaration of write-in candidacy;

(3)  a[~~.~~

[~~(c)  A~~] declaration of write-in candidacy must be filed with the authority with whom an application for a place on the ballot is required to be filed for the office;

(4)  a[~~.~~

[~~(d)  A~~] declaration of write-in candidacy must be filed not later than 6 p.m. of the fifth day after the date of the filing deadline for the general primary election;

(5)  with[~~.~~

[~~(e)  With~~] the appropriate modifications and to the extent practicable, Subchapter B, Chapter 146, applies to write-in voting for the office of county chair or precinct chair; and

(6)  the[~~.~~

[~~(g)  The~~] secretary of state shall prescribe any procedures necessary to implement this subsection [~~section~~].

SECTION 17.  Section 171.024, Election Code, is amended by amending Subsection (e) and adding Subsection (f) to read as follows:

(e)  After a vacancy is filled, the county chair shall submit the replacement member's name to the secretary of state for posting on the secretary of state's Internet website. A member does not have voting privileges until the member's name and position are posted on the secretary of state's Internet website [~~promptly deliver written or electronic notice of the replacement member's name and address to the state chair and to the county clerk~~].

(f)  The secretary of state shall create a system for the county chair to submit the information to the secretary of state for posting on the secretary of state's Internet website under Subsection (e).

SECTION 18.  Section 171.025, Election Code, is amended by adding Subsections (f) and (g) to read as follows:

(f)  A county chair appointed under this section may not perform official duties until the county chair's name and position are posted on the secretary of state's Internet website. Either the newly appointed county chair, the state chair, or the state chair's designee may submit the information required for the purposes of this subsection to the secretary of state.

(g)  The secretary of state shall create a system to submit the information to the secretary of state for posting on the secretary of state's Internet website under Subsection (f).

SECTION 19.  Section 171.053(a), Election Code, is amended to read as follows:

(a)  The district executive committee for a district comprising only a part of a single county consists of:

(1)  the precinct chairs of the county election precincts in the district; and

(2)  the county chair if the county chair resides in the district.

SECTION 20.  Section 171.054(a), Election Code, is amended to read as follows:

(a)  The district executive committee for a district situated in more than one county consists of the members of each county executive committee who reside in the district, including the county chair if the county chair resides in the district.

SECTION 21.  Section 171.072(a), Election Code, is amended to read as follows:

(a)  The precinct executive committee for a commissioners precinct or for a justice precinct containing three or more county election precincts consists of:

(1)  the precinct chair of each county election precinct in the commissioners or justice precinct, as applicable; and

(2)  the county chair if the county chair resides in the commissioner or justice precinct.

SECTION 22.  Sections 172.029(b), (c), (d), and (e), Election Code, are amended to read as follows:

(b)  The secretary of state shall continuously maintain an online database of information submitted under this section.  The database must be accessible by the county and precinct chairs of the party that submitted the information.  Any changes in the party's county or precinct chairs shall be reported to the secretary of state by posting online in the database maintained for this purpose. A county or precinct chair may not participate in any votes of an executive committee unless the chair's information has been reported to the secretary of state in accordance with this section. The secretary of state shall adopt rules to implement this section, including rules regarding the public availability of information submitted under this section.

(c)  The secretary of state may by rule prescribe a deadline by which the state chair and county chair must electronically submit information described by Subsection (a) [~~deliver the chair's submission regarding a candidate~~] to the secretary of state[~~, and each county chair shall deliver a copy of the chair's submission regarding a candidate to the county clerk, the state chair, and the secretary of state when the chair accepts the application.  The secretary of state may by rule prescribe a deadline for the delivery of a submission under this subsection~~].

(d)  The secretary of state shall be notified by electronic submission to the secretary of state's Internet website if a candidate withdraws, dies, or is declared ineligible, or if the candidate's application is determined not to comply with the applicable requirements.  The secretary of state shall adopt rules implementing this subsection.

(e)  The secretary of state shall:

(1)  make available on the secretary of state's Internet website [~~archive and keep available for inspection~~] a list of all candidates for whom information has been submitted under this section and archive the list on the Internet website for historical purposes after the election; and

(2)  prescribe rules for submitting the list electronically [~~and methodology for distribution to each county clerk and state chair~~].

SECTION 23.  Section 172.055(c), Election Code, is amended to read as follows:

(c)  Not later than 24 hours after the candidate withdraws or is declared ineligible or after the authority preparing the notice learns of the candidate's death, as applicable, the authority shall post the notice on the authority's Internet website, if one is maintained. The authority shall additionally deliver a copy of the notice to, as applicable:

(1)  the secretary of state, to be posted on the secretary of state's Internet website, for a candidate for an office filled by voters of more than one county; or [~~at least one daily newspaper published in the county or, if none, at least one weekly newspaper published there, if any, for a notice prepared by the county chair;~~]

(2)  the county clerk, to be posted on the county clerk's Internet website, for an office filled by voters of a single county [~~at least three daily newspapers that regularly maintain a news representative at the State Capitol, for a notice applicable to a statewide office; or~~

[~~(3)  at least one daily newspaper published in each county wholly or partly situated in the district or, if none, at least one weekly newspaper published there, if any, for a notice prepared by the state chair for a district office~~].

SECTION 24.  Section 172.088(g), Election Code, is amended to read as follows:

(g)  The state executive committee shall prescribe the wording of the ballot language for the proposition submitted by the petition [~~submitting a proposal~~].

SECTION 25.  Section 172.089, Election Code, is amended to read as follows:

Sec. 172.089.  ORDER OF PARTY OFFICES ON BALLOT. The party offices of county chair and precinct chair shall be listed on the primary election ballot after the public offices with the office of county chair listed first, unless the state executive committee by resolution authorizes a different ballot order.

SECTION 26.  Section 172.090, Election Code, is amended by amending Subsection (a) and adding Subsections (d) and (e) to read as follows:

(a)  In a primary election [~~in which election precincts are consolidated~~], the county executive committee may provide by resolution, order, or other official action for voting [~~in a consolidated precinct~~] by separate paper ballot for the office of precinct chair.

(d)  The county chair or the county clerk may produce and number ballots by hand under this section.

(e)  The secretary of state shall adopt rules for conducting a hand count of ballots under this section.

SECTION 27.  Sections 172.1111(a) and (c), Election Code, are amended to read as follows:

(a)  Before the opening of the polls during the early voting period and on election day, the presiding judge shall post at each outside door through which a voter may enter the building in which the polling place is located a written notice in bold print of the date, hour, and place for each precinct, county, senatorial, or state convention that a voter in the precinct may be eligible to attend during the election year.

(c)  The notice must remain posted continuously through the early voting period and on election day.

SECTION 28.  Section 172.1112(a), Election Code, is amended to read as follows:

(a)  The county clerk shall post a notice of the election and a notice of consolidated precincts, if applicable, in the manner prescribed by Section 4.003(b) for general and special elections. The notice of the election shall be posted on the county clerk's [~~party's~~] Internet website, if the county clerk [~~party~~] maintains a website. If the county clerk [~~party~~] does not maintain a website, the notice shall be posted on the bulletin board used for posting notice of meetings of the commissioners court.

SECTION 29.  Section 172.1114(e), Election Code, is amended to read as follows:

(e)  A county chair of a political party shall supply a notice prepared according to this section to the authority conducting the election not later than the 30th day before the date early voting by personal appearance begins. The authority shall prepare adequate copies for distribution in the county. The authority's preparation of copies is a necessary expense incurred in connection with a primary election under Section 173.001.

SECTION 30.  Section 172.113(e), Election Code, is amended to read as follows:

(e)  On completing the tabulation, the authority shall deliver it to the general custodian or may post the tabulation on the county's website and [~~or~~] the secretary of state's website if required by secretary of state rule.

SECTION 31.  Section 172.1141, Election Code, is amended to read as follows:

Sec. 172.1141.  LIST OF REGISTERED VOTERS FOR CONVENTION. (a) A county clerk is not required to prepare a list under this section unless, not later than the 90th day before the primary, the county chair requests that the county clerk prepare the list. At the same time the acceptance of each voter for voting in the general primary election is indicated on the precinct list of registered voters furnished for use in the election, the acceptance of the voter shall also be indicated on the list furnished for use in the party's conventions.

(b)  Except as provided by Subsection (c), if [~~If~~] a county records the acceptance of a voter electronically, the state chair or county chair may request and the county clerk shall provide an electronic document listing the persons who voted in the party primary, the unique identifier assigned to each person, and whether the person voted early in person or by mail, or voted in person on election day.

(c)  The county clerk is not required to provide the document described by Subsection (b) if a statewide submission of the data contained in that document to the secretary of state is required by law or the secretary of state has provided by rule for the transfer of that data to a political party for the purposes of holding a convention.

SECTION 32.  Section 172.115(c), Election Code, is amended to read as follows:

(c)  The presiding judge shall retain and provide at the appropriate time the list of registered voters to be used in the party's conventions if the list was produced under Section 172.1141.

SECTION 33.  Section 172.116(c), Election Code, is amended to read as follows:

(c)  The county clerk shall prepare and electronically submit to the secretary of state a report of the results of the canvass, which must include:

(1)  the total number of votes cast in each precinct for each candidate or measure; and

(2)  the number of counted and uncounted provisional ballots cast in each precinct.

SECTION 34.  Sections 172.117(a-1) and (a-2), Election Code, are amended to read as follows:

(a-1)  The secretary of state shall develop appropriate notations to describe the status of each candidate.  The notations shall include:

(1)  "filed";

(2)  "accepted";

(3)  "rejected";

(4)  "withdrew";

(5) [~~(3)~~]  "lost primary";

(6) [~~(4)~~]  "in runoff";

(7) [~~(5)~~]  "lost runoff";

(8) [~~(6)~~]  "deceased";

(9) [~~(7)~~]  "declared ineligible"; or

(10) [~~(8)~~]  "nominee for general election."

(a-2)  The county chair shall update the notations after each general primary and runoff primary election, unless the secretary of state's website automatically updates the notations based on election returns. After any withdrawal or death of a candidate, and subsequent replacement of the candidate on the ballot, the chair shall notify the state chair, who shall update the notation on the website.  All notations must be completed and accurate on the date prescribed by the secretary of state by rule to ensure that an authority printing general election ballots may rely on the information.

SECTION 35.  Section 172.118, Election Code, is amended by adding Subsections (e) and (f) to read as follows:

(e)  After a vacancy is filled, the county chair shall submit the replacement member's name to the secretary of state for posting on the secretary of state's Internet website. A member is not an official member of the committee with voting privileges before the replacement member's name is posted on the Internet website.

(f)  The secretary of state shall create a system for submitting the information to the secretary of state for posting on the secretary of state's Internet website under Subsection (e).

SECTION 36.  Section 172.121(b), Election Code, is amended to read as follows:

(b)  The secretary of state shall update the status of each candidate as appropriate [~~The state chair shall deliver the certification~~] by posting next to the candidate's name on the secretary of state's website whether the person lost in the primary or is in a runoff for the position as soon as practicable after the state canvass of the general primary election is completed.

SECTION 37.  Section 172.122, Election Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b)  Not later than the 20th day after the date the state canvass is completed, the state chair shall submit [~~deliver~~] the certification to the secretary of state for posting on the secretary of state's Internet website.

(c)  The secretary of state shall create a system for the state chair to submit the information to the secretary of state for posting on the secretary of state's Internet website under Subsection (b).

SECTION 38.  Section 172.124(a), Election Code, is amended to read as follows:

(a)  For each primary election, the county clerk shall prepare a report of the number of votes, including early voting votes, received in each county election precinct by each candidate for an [~~a statewide~~] office, other than a party office, [~~or the office of United States representative, state senator, or state representative,~~] as provided by Section 67.017 for the report of precinct results for a general election.

SECTION 39.  Section 173.007, Election Code, is amended by adding Subsection (d) to read as follows:

(d)  State funds may not be used to pay the operating expenses of a polling place of a political party if the party's county chair has not agreed to:

(1)  conduct a joint primary election with another political party required to nominate candidates by primary election; or

(2)  use the same precinct or consolidated precinct polling places as another political party required to nominate candidates by primary election.

SECTION 40.  The heading to Section 173.008, Election Code, is amended to read as follows:

Sec. 173.008.  [~~LIMITING~~] STATE COMPENSATION FOR ELECTION PERSONNEL.

SECTION 41.  Section 173.008, Election Code, is amended by adding Subsection (e) to read as follows:

(e)  The compensation paid from state funds to election judges and clerks in a joint primary election must be in an amount that is 25 percent greater than the amount of compensation paid from state funds to election judges and clerks in a separate primary election.

SECTION 42.  Section 173.032(c), Election Code, is amended to read as follows:

(c)  The state chair may, with the consent of the secretary of state and the county chair or county executive committee, if one exists for the county, accept money into the state primary fund on behalf of a county party.  The state chair must keep records to track the money that is attributable to a county.

SECTION 43.  Subchapter B, Chapter 173, Election Code, is amended by adding Section 173.0341 to read as follows:

Sec. 173.0341.  STATE CHAIR AS FISCAL AGENT FOR COUNTY PARTY. (a) A state chair, or the designee of a state chair, may enter into an agreement with a county chair under which the state chair will act as a fiscal agent for the county party.

(b)  The secretary of state shall prescribe the form of an agreement under this section.

(c)  If the state chair acts as the fiscal agent for a county party in accordance with an agreement under this section:

(1)  the state chair shall deliver the completed agreement to the secretary of state;

(2)  any filing fee received by the county party under Subchapter C must be made payable to the state party for deposit in the state primary fund not later than five days after receipt of the filing fee;

(3)  the county chair or county executive committee shall make a request in accordance with Section 31.093 to enter into a contract with the county elections administrator to conduct primary elections in the county; and

(4)  Section 173.031 does not apply to the county party.

SECTION 44.  Section 173.061, Election Code, is amended to read as follows:

Sec. 173.061.  FEE PAID TO COUNTY CHAIR. Except as provided by Section 173.0341(c)(2), the [~~The~~] county chair shall deposit in the county primary fund each filing fee accompanying an application for a place on the ballot filed with the county chair.

SECTION 45.  Section 174.021(b), Election Code, is amended to read as follows:

(b)  A political party may by rule allow a county to hold precinct conventions before or during the county convention on the same day and at the same place as the county convention.  The rule may modify other provisions of this subchapter as necessary for the county to hold precinct conventions as provided by this subsection.

SECTION 46.  Section 174.025(c), Election Code, is amended to read as follows:

(c)  Before conducting business, the precinct chair shall prepare a list containing the name and residence address of each person who is admitted to participate in the convention. The state executive committee by rule may adopt an alternate process in place of the requirement under this subsection.

SECTION 47.  Section 174.027(a), Election Code, is amended to read as follows:

(a)  A political party shall adopt rules for recordkeeping of convention business [~~The convention chair shall prepare, sign, and make a copy of a list of the names and residence addresses of the delegates and any alternates selected by the convention~~].

SECTION 48.  Sections 174.064(c) and (d), Election Code, are amended to read as follows:

(c)  The county chair shall post [~~and deliver~~] the notice of a county convention. The temporary chair of a senatorial district convention shall post [~~and deliver~~] the notice of the senatorial district convention.

(d)  If the county chair fails to post [~~or deliver~~] notice in accordance with this section, another member of the county executive committee may post [~~or deliver~~] the notice. If the temporary chair of a senatorial district convention fails to post [~~or deliver~~] notice in accordance with this section, another member of the county executive committee who may participate in setting the convention's hour and place may post [~~or deliver~~] the notice.

SECTION 49.  Section 174.065(c), Election Code, is amended to read as follows:

(c)  The chair shall call the convention to order [~~and deliver the lists of delegates prepared under Section 174.027 to the convention~~].

SECTION 50.  Section 174.069, Election Code, is amended to read as follows:

Sec. 174.069.  RECORD OF DELEGATES. The state executive committee shall adopt rules for the preparation and submission of delegates to the state chair [~~(a) The chair of a county or senatorial district convention shall prepare and sign a list of the names and residence addresses of the delegates and any alternate delegates to the state convention selected by the convention.~~

[~~(b)  The convention chair shall deliver the list to the state chair not later than the fifth day after the date the convention adjourns.~~

[~~(c)  An electronic submission to the county chair through a system created by party rule constitutes a complete delivery under Subsection (b)~~].

SECTION 51.  Section 191.003, Election Code, is amended to read as follows:

Sec. 191.003.  NOTICE OF CANDIDATES TO SECRETARY OF STATE. (a) The state chair of each political party holding a presidential primary election shall submit the information to the secretary of state for posting on the secretary of state's Internet website and certify the name of each presidential candidate who qualifies for a place on the presidential primary election ballot in the same manner as a candidate filing for statewide, district, and county offices [~~and deliver the certification to the secretary of state not later than the ninth day after the date of the regular filing deadline for the general primary election~~].

(b)  The secretary of state shall create a system for submitting the information to the secretary of state for posting on the secretary of state's Internet website under Subsection (a).

SECTION 52.  Section 191.004(b), Election Code, is amended to read as follows:

(b)  Unless otherwise provided by this code, the [~~The~~] names of the presidential candidates shall be printed as the first race on the ballot under the heading "Preference For Presidential Nominee" followed by the instruction, "You may vote for one presidential candidate whose name appears on the ballot by placing an 'X' in the square beside the candidate's name." If party rules provide for voting for an uncommitted status, the instruction shall read, "You may vote for one presidential candidate whose name appears on the ballot by making a mark [~~placing an 'X'~~] in the square beside the candidate's name or you may vote as uncommitted by making a mark [~~placing an 'X'~~] in the square beside 'Uncommitted.' Make only one choice." The instruction shall be changed as appropriate to accommodate the form of a voting system ballot.

SECTION 53.  Section 191.008(d), Election Code, is amended to read as follows:

(d)  For a political party to be entitled to have its nominees for president and vice-president of the United States placed on the general election ballot in an election year in which the party is holding a presidential primary election, the rules adopted under this section or the rules already in existence must be posted on the party's Internet website [~~filed with the secretary of state~~] not later than January 5 of the presidential election year. The secretary of state may extend this deadline for good cause.

SECTION 54.  The following sections of the Election Code are repealed:

(1)  Sections 163.005(a), (b), (c), (d), and (e);

(2)  Section 163.006;

(3)  Sections 172.021(e) and (g);

(4)  Section 174.023(b);

(5)  Sections 174.027(b), (c), (d), (e), (f), and (g); and

(6)  Section 174.064(b).

SECTION 55.  This Act takes effect September 1, 2019.