

By: Swanson

H.B. No. 88

A BILL TO BE ENTITLED

AN ACT

relating to the order of candidate names on an election ballot.

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

SECTION 1. Section 2.002(d), Election Code, is amended to read as follows:

(d) The order of the candidates' names on the ballot shall be the relative order of names on the original ballot [~~determined by a drawing in accordance with Section 52.094~~].

SECTION 2. Sections 52.094(a) and (c), Election Code, are amended to read as follows:

(a) Except as otherwise provided by law, for an election at which the names of more than one candidate for the same office are to appear on the ballot in an independent column or are to appear on a general or special election ballot that does not contain a party nominee, the order of the candidates' names shall be determined by a drawing. The order of the candidates' names on the ballot of any resulting runoff election or election held to resolve a tie vote shall be the relative order of names on the original election ballot.

(c) The authority conducting the drawing shall post in the authority's office a notice of the date, hour, and place of the drawing. The notice must remain posted continuously for 72 hours immediately preceding the scheduled time of the drawing[~~, except that for a runoff election or an election held to resolve a tie~~

1 ~~vote, the notice must remain posted for 24 hours immediately~~  
2 ~~preceding the scheduled time of the drawing].~~

3 SECTION 3. This Act takes effect September 1, 2019.