

By: Huberty

H.B. No. 831

A BILL TO BE ENTITLED

AN ACT

relating to the residency requirement to be eligible for public office.

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

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

(a-1) For purposes of satisfying the continuous residency requirement of Subsection (a)(5), a person who claims an intent to return to a residence after a temporary absence may 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) 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) The authority with whom an application for a place on a general primary election ballot is filed under Section 172.022 shall, to the extent permitted by law, use Subsections (a) and (a-1) in determining whether a candidate meets the residency requirements for a public elective office.

SECTION 2. This Act applies only to a candidate in an election held on or after the effective date of this Act.

1 SECTION 3. This Act takes effect January 1, 2020.