

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

1 on the secretary of state's Internet website are the candidates
2 certified.

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

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

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

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

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

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

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

1 the space.

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

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

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

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

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

26 (c) After administering the oath, the temporary chair may
27 [~~shall~~] request the person's registration certificate and stamp the

1 party's name in the party affiliation space unless the party name
2 has already been stamped in the space. If the person does not
3 present a registration certificate, the temporary chair on the
4 person's request may [~~shall~~] issue the person an affiliation
5 certificate.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 (a) A county executive committee consists of:

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

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

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

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

27 SECTION 15. Sections 171.0221(a) and (b), Election Code,

1 are amended to read as follows:

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

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

19 SECTION 16. Section [171.0231](#), Election Code, is amended to
20 read as follows:

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

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

27 (1) a [~~(a)~~A] write-in vote for the office of county

1 chair or precinct chair may not be counted unless the name written
2 in appears on the list of write-in candidates;

3 (2) to ~~to~~

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

7 (3) a ~~a~~

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

11 (4) a ~~a~~

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

15 (5) with ~~with~~

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

19 (6) the ~~the~~

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

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

25 (e) After a vacancy is filled, the county chair shall submit
26 the replacement member's name to the secretary of state for posting
27 on the secretary of state's Internet website. A member does not have

1 voting privileges until the member's name and position are posted
2 on the secretary of state's Internet website [~~promptly deliver~~
3 ~~written or electronic notice of the replacement member's name and~~
4 ~~address to the state chair and to the county clerk~~].

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (b) The secretary of state shall continuously maintain an
20 online database of information submitted under this section. The
21 database must be accessible by the county and precinct chairs of the
22 party that submitted the information. Any changes in the party's
23 county or precinct chairs shall be reported to the secretary of
24 state by posting online in the database maintained for this
25 purpose. A county or precinct chair may not participate in any
26 votes of an executive committee unless the chair's information has
27 been reported to the secretary of state in accordance with this

1 section. The secretary of state shall adopt rules to implement this
2 section, including rules regarding the public availability of
3 information submitted under this section.

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

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

19 (e) The secretary of state shall:

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

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

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

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

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

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

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

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

26 (g) The state executive committee shall prescribe the
27 wording of the ballot language for the proposition submitted by the

1 petition [~~submitting a proposal~~].

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

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

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

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

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

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

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

23 (a) Before the opening of the polls during the early voting
24 period and on election day, the presiding judge shall post at each
25 outside door through which a voter may enter the building in which
26 the polling place is located a written notice in bold print of the
27 date, hour, and place for each precinct, county, senatorial, or

1 state convention that a voter in the precinct may be eligible to
2 attend during the election year.

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

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

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

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

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

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

26 (e) On completing the tabulation, the authority shall
27 deliver it to the general custodian or may post the tabulation on

1 the county's website and [~~or~~] the secretary of state's website if
2 required by secretary of state rule.

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

5 Sec. 172.1141. LIST OF REGISTERED VOTERS FOR CONVENTION.

6 (a) A county clerk is not required to prepare a list under this
7 section unless, not later than the 90th day before the primary, the
8 county chair requests that the county clerk prepare the list. At
9 the same time the acceptance of each voter for voting in the general
10 primary election is indicated on the precinct list of registered
11 voters furnished for use in the election, the acceptance of the
12 voter shall also be indicated on the list furnished for use in the
13 party's conventions.

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

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

27 SECTION 32. Section 172.115(c), Election Code, is amended

1 to read as follows:

2 (c) The presiding judge shall retain and provide at the
3 appropriate time the list of registered voters to be used in the
4 party's conventions if the list was produced under Section
5 172.1141.

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

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

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

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

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

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

20 (1) "filed";

21 (2) "accepted";

22 (3) "rejected";

23 (4) "withdrew";

24 (5) [~~3~~] "lost primary";

25 (6) [~~4~~] "in runoff";

26 (7) [~~5~~] "lost runoff";

27 (8) [~~6~~] "deceased";

1 (9) [~~(7)~~] "declared ineligible"; or

2 (10) [~~(8)~~] "nominee for general election."

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

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

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

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

23 SECTION 36. Section [172.121](#)(b), Election Code, is amended
24 to read as follows:

25 (b) The secretary of state shall update the status of each
26 candidate as appropriate [~~The state chair shall deliver the~~
27 ~~certification~~] by posting next to the candidate's name on the

1 secretary of state's website whether the person lost in the primary
2 or is in a runoff for the position as soon as practicable after the
3 state canvass of the general primary election is completed.

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

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

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

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

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

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

26 (d) State funds may not be used to pay the operating
27 expenses of a polling place of a political party if the party's

1 county chair has not agreed to:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 SECTION 45. Section 174.021(b), Election Code, is amended

1 to read as follows:

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

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

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

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

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

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

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

26 (d) If the county chair fails to post [~~or deliver~~] notice in
27 accordance with this section, another member of the county

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

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

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

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

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

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

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

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

27 Sec. 191.003. NOTICE OF CANDIDATES TO SECRETARY OF STATE.

1 (a) The state chair of each political party holding a presidential
2 primary election shall submit the information to the secretary of
3 state for posting on the secretary of state's Internet website and
4 certify the name of each presidential candidate who qualifies for a
5 place on the presidential primary election ballot in the same
6 manner as a candidate filing for statewide, district, and county
7 offices [~~and deliver the certification to the secretary of state~~
8 ~~not later than the ninth day after the date of the regular filing~~
9 ~~deadline for the general primary election~~].

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

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

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

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

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

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

- 13 (1) Sections 163.005(a), (b), (c), (d), and (e);
14 (2) Section 163.006;
15 (3) Sections 172.021(e) and (g);
16 (4) Section 174.023(b);
17 (5) Sections 174.027(b), (c), (d), (e), (f), and (g);
18 and
19 (6) Section 174.064(b).

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