

By: Fallon

S.B. No. 466

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of persons finally convicted of a felony to run for certain public offices.

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

SECTION 1. Section 141.001(a), Election Code, is amended to read as follows:

(a) To be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, a person must:

(1) be a United States citizen;

(2) be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;

(3) have not been determined by a final judgment of a court exercising probate jurisdiction to be:

(A) totally mentally incapacitated; or

(B) partially mentally incapacitated without the right to vote;

(4) have not been finally convicted of a felony from which the person has not been pardoned ~~[or otherwise released from the resulting disabilities]~~;

(5) have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:

(A) for a candidate whose name is to appear on a

1 general primary election ballot, the date of the regular filing  
2 deadline for a candidate's application for a place on the ballot;

3 (B) for an independent candidate, the date of the  
4 regular filing deadline for a candidate's application for a place  
5 on the ballot;

6 (C) for a write-in candidate, the date of the  
7 election at which the candidate's name is written in;

8 (D) for a party nominee who is nominated by any  
9 method other than by primary election, the date the nomination is  
10 made; and

11 (E) for an appointee to an office, the date the  
12 appointment is made;

13 (6) on the date described by Subdivision (5), be  
14 registered to vote in the territory from which the office is  
15 elected; and

16 (7) satisfy any other eligibility requirements  
17 prescribed by law for the office.

18 SECTION 2. The changes in law made by this Act apply only to  
19 the eligibility requirements for a candidate or officer whose term  
20 of office will begin on or after the effective date of this Act. The  
21 eligibility requirements for a candidate or officer whose term of  
22 office will begin before the effective date of this Act are governed  
23 by the law in effect immediately before the effective date of this  
24 Act, and the former law is continued in effect for that purpose.

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