

House Bill 1067
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 145.096(a), Election Code, is amended to read as follows:

(a) Except as provided by Subsection (b) or Section 145.098(b), a candidate's name shall be placed on the ballot if the candidate:

- (1) dies on or after the second day before the deadline for filing the candidate's application for a place on the ballot;
- (2) is declared ineligible after 5 p.m. of the fifth day after the deadline for filing the candidate's application for a place on the ballot, in an election subject to Section 145.092(a);
- (3) is declared ineligible after 5 p.m. of the 57th day before election day, in an election subject to Section 145.092(b); or
- (4) is declared ineligible after 5 p.m. of the 71st day before election day, in an election subject to Section 145.092(f).

SECTION 2. Section 145.098, Election Code, is amended to read as follows:

Sec. 145.098. WITHDRAWAL OR DEATH OF CANDIDATE BEFORE BALLOTS ARE PREPARED. (a) If a candidate files a withdrawal request after the deadline prescribed by Section 145.092, and the candidate complies with each requirement under Section 145.001 except that the candidate's filing to withdraw is untimely, the authority responsible for preparing the ballots may choose to omit the candidate from the ballot if the ballots have not been prepared at the time the candidate files the withdrawal request.

(b) If a candidate dies on or after the second day before the deadline for filing an application for a place on the ballot and before the ballots are prepared, the authority responsible for

SENATE VERSION (CS)

SECTION 1. Same as House version.

SECTION 2. Section 145.098, Election Code, is amended to read as follows:

Sec. 145.098. WITHDRAWAL OR DEATH OF CANDIDATE BEFORE BALLOTS ARE PREPARED. (a) If a candidate files a withdrawal request after the deadline prescribed by Section 145.092, and the candidate complies with each requirement under Section 145.001 except that the candidate's filing to withdraw is untimely, the authority responsible for preparing the ballots may choose to omit the candidate from the ballot if the ballots have not been prepared at the time the candidate files the withdrawal request.

(b) If a candidate dies on or before the deadline for filing an application for a place on the ballot:

- (1) the authority responsible for preparing the ballots may choose to omit the candidate from the ballot; and

CONFERENCE

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preparing the ballots may choose to omit the candidate from the ballot.

SECTION 3. The changes in law made by this Act apply only to an election for which an application for a place on the ballot is due on or after the effective date of this Act.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

SENATE VERSION (CS)

(2) if the authority omits the candidate's name under Subdivision (1), the filing deadline for an application for a place on the ballot for the office sought by the candidate is extended until the fifth day after the filing deadline.

SECTION 3. Same as House version.

SECTION 4. Same as House version.

CONFERENCE