

House Bill 2640
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Sections 67.017(a) and (b), Election Code, are amended to read as follows:

(a) After each election for a statewide office or the office of United States representative, state senator, or state representative, a district office, a county office, or a precinct office, the county clerk shall prepare a report of the number of votes, including early voting votes cast by mail and early voting votes cast by personal appearance, 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.]~~

(b) The county clerk ~~[or presiding officer]~~ shall deliver the report to the secretary of state not later than the 30th day after election day in an electronic format prescribed by the secretary of state.

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 on the secretary of state's Internet website are the candidates certified. In addition to the other methods of delivering the certification under this section, the secretary

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SECTION 1. Same as House version.

SECTION 2. Same as House version.

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of state shall deliver a copy of the certification to the authority by e-mail.

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

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

- (1) is accepted to vote in the party's primary election; or
- (2) ~~returns [applies for and is provided]~~ an early voting or limited primary ballot ~~[to be]~~ voted by mail.

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

(a-1) An election officer shall stamp a voter registration certificate with a party affiliation under Subsection (b) or provide an affiliation certificate under Subsection (c) unless, not later than the 90th day before the date of the primary election, the county chair notifies the county clerk that the chair does not require a stamped voter registration certificate or affiliation certificate for verification of attendance at a precinct convention.

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

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SECTION 3. Same as House version.

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

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

Sec. 162.005. AFFILIATION PROCEDURE: EARLY VOTING BY MAIL. Subject to Section 162.004(a-1), the [The] early voting clerk in a general primary election shall provide an affiliation certificate with each early voting or limited ballot to be voted by mail. The certificate is not required to be provided to an applicant for a runoff primary ballot unless the applicant requests it.

SECTION 6. Sections 162.008(b) and (c), Election Code, are amended to read as follows:

(b) On request of a person desiring to affiliate with a political party, a member of the county executive committee for the county in which the person resides or other person authorized by party rule shall administer the following oath: "I swear that I have not voted in a primary election or participated in a convention of another party during this voting year. I hereby affiliate myself with the _____ Party." [~~prescribed by Section 162.007(b).~~]

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SECTION 5. Same as House version.

SECTION 6. Sections 162.008(b) and (c), Election Code, are amended to read as follows:

(b) On request of a person desiring to affiliate with a political party, a member of the county executive committee for the county in which the person resides or other person authorized by party rule shall administer the following oath: "I swear that I have not voted in a primary election or participated in a convention of another party during this voting year. I hereby affiliate myself with the _____ Party." [~~prescribed by Section 162.007(b).~~]

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(c) After administering the oath, the committee member or authorized person may ~~[shall]~~ stamp the party's name in the party affiliation space unless the party name has already been stamped in the space. If the person does not present a registration certificate, the temporary chair on the person's request shall issue the person an affiliation certificate ~~[on the person's registration certificate or issue the person an affiliation certificate as provided by Section 162.007(e)].~~

SECTION 7. Section 171.002, Election Code, is amended to read as follows:

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

(b) In addition to the members representing the senatorial or congressional districts, the committee has a chair and a vice chair, one of whom must be a man and the other a woman. Except as otherwise provided by party rule, the chair and vice chair are considered members of the committee.

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

(d) The members elected to represent a particular senatorial or congressional district must be those recommended by the

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(c) After administering the oath, the committee member or authorized person may ~~[shall]~~ stamp the party's name in the party affiliation space unless the party name has already been stamped in the space. If the person does not present a registration certificate, the committee member or authorized person on the person's request shall issue the person an affiliation certificate ~~[on the person's registration certificate or issue the person an affiliation certificate as provided by Section 162.007(e)].~~

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convention delegates representing that senatorial or congressional district.

SECTION 8. Section 171.003(c), Election Code, is amended to read as follows:

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

SECTION 9. Section 171.004(a), Election Code, is amended to read as follows:

(a) To participate in a state executive committee meeting as a proxy for a member representing a senatorial or congressional district, a person must reside in that district.

SECTION 10. Section 171.0231, Election Code, is amended to read as follows:

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

(b) If the state executive committee authorizes write-in candidates:

(1) a [(a)–A] write-in vote for the office of county chair or precinct chair may not be counted unless the name written in appears on the list of write-in candidates;

(2) to[-

SENATE VERSION (CS)

SECTION 8. Same as House version.

SECTION 9. Same as House version.

SECTION 10. Section 171.0231, Election Code, is amended to read as follows:

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

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

(1) a [(a)–A] write-in vote for the office of county chair or precinct chair may not be counted unless the name written in appears on the list of write-in candidates;

(2) to[-

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

(3) a[-

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

(4) a[-

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

(5) with[-

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

(6) the[-

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

SECTION 11. Section 171.024, Election Code, is amended by amending Subsection (e) and adding Subsections (f) and (g) to read as follows:

(e) After a vacancy is filled, the county chair shall submit the replacement member's name to the secretary of state for posting on the secretary of state's Internet website ~~[promptly deliver written or electronic notice of the replacement member's name and address to the state chair and to the county clerk]~~.

(f) The secretary of state shall create a system for the county chair to submit the information to the secretary of state for

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

(3) a[-

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

(4) a[-

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

(5) with[-

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

(6) the[-

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

SECTION 11. Same as House version.

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posting on the secretary of state's Internet website under Subsection (e).

(g) The state executive committee may by rule require a specific deadline for filling vacancies on a county executive committee before that committee fills a vacancy in nomination for public office, but may not set the deadline for a date later than the date that the vacancy in nomination for public office occurred. The deadline does not apply to the filling of a vacancy if the executive committee contains no members.

SECTION 12. Section 171.051, Election Code, is amended to read as follows:

Sec. 171.051. DISTRICT EXECUTIVE COMMITTEE ESTABLISHED. (a) For each district from which an officer of the federal or state government is elected, a district executive committee is established as provided by this subchapter for each political party holding a primary election.

(b) The state executive committee may by rule require a specific deadline for filling vacancies on a district executive committee before that committee fills a vacancy in nomination for public office, but may not set the deadline for a date later than the date that the vacancy in nomination for public office occurred. The deadline does not apply to the filling of a vacancy if the executive committee contains no members.

SECTION 13. Section 171.053(a), Election Code, is amended to read as follows:

SECTION 12. Same as House version.

SECTION 13. Same as House version.

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(a) The district executive committee for a district comprising only a part of a single county consists of the members of the county executive committee who reside [precinct chairs of the county election precincts] in the district.

SECTION 14. Section 171.071, Election Code, is amended to read as follows:

Sec. 171.071. PRECINCT EXECUTIVE COMMITTEE ESTABLISHED. (a) For each commissioners precinct and for each justice precinct, a precinct executive committee is established as provided by this subchapter for each political party holding a primary election.

(b) The state executive committee may by rule require a specific deadline for filling vacancies on a precinct executive committee before that committee fills a vacancy in nomination for public office, but may not set the deadline for a date later than the date that the vacancy in nomination for public office occurred. The deadline does not apply to the filling of a vacancy if the executive committee contains no members.

SECTION 15. Section 171.072(a), Election Code, is amended to read as follows:

(a) The precinct executive committee for a commissioners precinct or for a justice precinct containing three or more county election precincts consists of the members of the county executive committee who reside [precinct chair of each county election precinct] in the commissioners or justice precinct, as applicable.

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SECTION 14. Same as House version.

SECTION 15. Same as House version.

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SECTION 16. Subchapter B, Chapter 172, Election Code, is amended by adding Sections 172.0222 and 172.0223 to read as follows:

Sec. 172.0222. REVIEW OF APPLICATION; NOTICE TO CANDIDATE. (a) If the application of this section conflicts with the application of Section 141.032, this section prevails.

(b) On the filing of an application for a place on the general primary election ballot, the authority with whom the application is filed shall review the application to determine whether it complies with the requirements as to form, content, and procedure that it must satisfy for the candidate's name to be placed on the general primary election ballot.

(c) Except as provided by Subsection (d) or (e), the review shall be completed not later than the fifth business day after the date the application is received by the authority.

(d) If an application is submitted fewer than five business days before the regular filing deadline, the review shall be completed not later than the first Friday after the regular filing deadline.

(e) If an application is accompanied by a petition, the petition is considered part of the application, and the review shall be completed as soon as practicable after the date the application is received by the authority. However, the petition is not considered part of the application for purposes of determining compliance with the requirements applicable to each document, and a deficiency in the requirements for one document may not be remedied by the contents of the other document. Unless the petition is challenged, the authority is only required to review the petition for facial compliance with the applicable requirements as to form, content, and procedure.

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(f) A determination under this section that an application complies with the applicable requirements does not preclude a subsequent determination that the application does not comply, subject to Section 172.0223.

(g) If an application does not comply with the applicable requirements, the authority shall reject the application and immediately deliver to the candidate written notice of the reason for the rejection.

(h) This section does not apply to a determination of a candidate's eligibility.

(i) After the filing deadline:

(1) a candidate may not amend an application filed under Section 172.021; and

(2) the authority with whom the application is filed may not accept an amendment to an application filed under Section 172.021.

Sec. 172.0223. LIMITATION ON CHALLENGE OF APPLICATION. (a) If the application of this section conflicts with the application of Section 141.034, this section prevails.

(b) An application for a place on the general primary election ballot may not be challenged for compliance with the applicable requirements as to form, content, and procedure after the 50th day before the date of the election for which the application is made.

(c) This section does not apply to a determination of a candidate's eligibility.

(d) A challenge must state with specificity how the application does not comply with the applicable requirements as to form, content, and procedure. The authority's review of the challenge is limited to the specific

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items challenged and any response filed with the authority by the challenged candidate.

SECTION 17. Section 172.055(c), Election Code, is amended to read as follows:

(c) Not later than 24 hours after the candidate withdraws or is declared ineligible or after the authority preparing the notice learns of the candidate's death, as applicable, the authority shall:

(1) deliver a copy of the notice to:

(A) [~~1~~] at least one daily newspaper published in the county or, if none, at least one weekly newspaper published there, if any, for a notice prepared by the county chair;

(B) [~~2~~] at least three daily newspapers that regularly maintain a news representative at the State Capitol, for a notice applicable to a statewide office; or

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

(2) post the notice on the authority's Internet website, if one is maintained; and

(3) send a copy of the notice to:

(A) the secretary of state, to be posted on the secretary of state's Internet website, for a candidate for an office filled by voters of more than one county; or

(B) the county clerk, to be posted on the county's Internet website, for an office filled by voters of a single county.

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SECTION 18. Section 172.082, Election Code, is amended by amending Subsections (b) and (f) and adding Subsection (g) to read as follows:

(b) The county chair or the county chair's designee shall conduct the drawing unless the county executive committee provides by resolution that the drawing be conducted by the primary committee.

(f) The state chair shall conduct the drawing if:

(1) the county chair[;

[(+) requests that the state chair conduct the drawing; or

(2) the county chair or the county chair's designee fails to conduct the drawing by the deadline set in this section.

(g) A designee appointed by the county chair to conduct the drawing under this section must be:

(1) a member of the county executive committee; or

(2) if no member of the county executive committee is available to conduct the drawing, a resident of the county served by the committee who is affiliated with the same political party.

SECTION 19. Section 172.088(g), Election Code, is amended to read as follows:

(g) The state executive committee shall prescribe the wording of the ballot language for the proposition submitted by the petition ~~[submitting a proposal]~~.

SECTION 20. Section 172.090, Election Code, is amended by amending Subsection (a) and adding Subsections (d) and (e) to read as follows:

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SECTION 18. Same as House version.

SECTION 19. Same as House version.

SECTION 20. Same as House version.

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

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

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

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

(a) Before the opening of the polls during the early voting period and on election day, the presiding judge shall post at each outside door through which a voter may enter the building in which the polling place is located a written notice in bold print of the date, hour, and place for each precinct, county, senatorial, or state convention that a voter in the precinct may be eligible to attend during the election year.

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

SECTION 22. Section 172.1112(a), Election Code, is amended to read as follows:

(a) The county clerk shall post a notice of the election and a notice of consolidated precincts, if applicable, in the manner prescribed by Section 4.003(b) for general and special elections. The notice of the election shall be posted on the county's [party's] Internet website, if the county [party] maintains a website. If the county [party] does not maintain

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SECTION 21. Same as House version.

SECTION 22. Same as House version.

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a website, the notice shall be posted on the bulletin board used for posting notice of meetings of the commissioners court.

SECTION 23. Section 172.1114(e), Election Code, is amended to read as follows:

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

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

(e) On completing the tabulation, the authority shall:

(1) deliver it to the general custodian; or ~~may~~

(2) post the tabulation;

(A) on the county's website; and ~~or~~

(B) if required by secretary of state rule, the secretary of state's website.

SECTION 25. Section 172.1141, Election Code, is amended to read as follows:

Sec. 172.1141. LIST OF REGISTERED VOTERS FOR CONVENTION. (a) A county clerk shall prepare a list under this section unless, not later than the 90th day before the date of the primary, the county chair notifies the county

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SECTION 23. Same as House version.

SECTION 24. Same as House version.

SECTION 25. Same as House version.

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clerk that the chair does not require a list. At the same time the acceptance of each voter for voting in the general primary election is indicated on the precinct list of registered voters furnished for use in the election, the acceptance of the voter shall also be indicated on the list furnished for use in the party's conventions.

(b) If a county records the acceptance of a voter electronically, the state chair or county chair may request and the county clerk shall provide not later than the date of the local general primary canvass an electronic document listing the persons who voted in the party primary, the unique identifier assigned to each person, and whether the person voted early in person or by mail, or voted in person on election day.

SECTION 26. Section 172.115(c), Election Code, is amended to read as follows:

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

SECTION 27. Section 172.116, Election Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (h) to read as follows:

(a) The county chair or the county chair's designee and, if available, at least one member of the county executive committee selected by the county executive committee shall canvass the precinct election returns for the county.

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SECTION 26. Same as House version.

SECTION 27. Same as House version.

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(b) The county chair or the county chair's designee and any selected county executive committee member shall convene to conduct the local canvass on the second Thursday after election day at the hour specified by the county chair and posted on the county party website or the commissioners court bulletin board if the county organization of the political party does not maintain a website.

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

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

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

(h) A designee appointed by the county chair to conduct the local canvass under this section must be:

(1) a member of the county executive committee; or

(2) if no member of the county executive committee is available to conduct the canvass, a resident of the county served by the committee who is affiliated with the same political party.

SECTION 28. Sections 172.117(a-1) and (a-2), Election Code, are amended to read as follows:

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

(1) "filed";

(2) "accepted";

(3) "rejected";

(4) "withdrew";

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- (5) [(3)] "lost primary";
- (6) [(4)] "in runoff";
- (7) [(5)] "lost runoff";
- (8) [(6)] "deceased";
- (9) [(7)] "declared ineligible"; or
- (10) [(8)] "nominee for general election."

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

SECTION 29. Section 172.121(b), Election Code, is amended to read as follows:

(b) The secretary of state shall update the status of each candidate as appropriate [~~The state chair shall deliver the certification~~] by posting next to the candidate's name on the secretary of state's website whether the person lost in the primary or is in a runoff for the position as soon as practicable after the state canvass of the general primary election is completed.

SECTION 30. Section 172.122, Election Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

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SECTION 30. Same as House version.

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

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

SECTION 31. Section 172.124(a), Election Code, is amended to read as follows:

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

SECTION 32. Section 172.130(a), Election Code, is amended to read as follows:

(a) Notwithstanding a conflicting provision of this code, the state chair, or the state chair's designee, may perform any administrative duty of the county chair, county chair's designee, or county executive committee related to the conduct of a primary election that has not been performed in the time required by law, including the submission of candidate information under Section 172.029, drawing for ballot order under Section [Sections] 172.082 [and 172.084], and canvassing returns under Section 172.116.

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SECTION 32. Same as House version.

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SECTION 33. Section 173.032(c), Election Code, is amended to read as follows:

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

SECTION 33. Same as House version.

SECTION 34. Subchapter B, Chapter 173, Election Code, is amended by adding Section 173.0341 to read as follows:

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

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

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

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

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

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

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

SECTION 35. Section 173.061, Election Code, is amended to read as follows:

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

SECTION 35. Same as House version.

SECTION 36. Section 174.021(b), Election Code, is amended to read as follows:

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

SECTION 36. Same as House version.

SECTION 37. Section 174.025(c), Election Code, is amended to read as follows:

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

SECTION 37. Same as House version.

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SECTION 38. Sections 174.064(c) and (d), Election Code, are amended to read as follows:

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

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

SECTION 39. Section 191.003, Election Code, is amended to read as follows:

Sec. 191.003. NOTICE OF CANDIDATES TO SECRETARY OF STATE. (a) The state chair of each political party holding a presidential primary election shall submit the information to the secretary of state for posting on the secretary of state's Internet website and certify the name of each presidential candidate who qualifies for a place on the presidential primary election ballot in the same manner as a candidate filing for statewide, district, and county offices ~~[and deliver the certification to the secretary of state]~~ not later than the ninth day after the date of the regular filing deadline for the general primary election.

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

SENATE VERSION (CS)

SECTION 38. Same as House version.

SECTION 39. Same as House version.

CONFERENCE

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SENATE VERSION (CS)

CONFERENCE

SECTION 40. Section 191.004(b), Election Code, is amended to read as follows:

(b) The names of the presidential candidates shall be printed as the first race on the ballot under the heading "Preference For Presidential Nominee" followed by the instruction, "You may vote for one presidential candidate whose name appears on the ballot by making a mark [~~placing an 'X'~~] in the shape [~~square~~] beside the candidate's name." If party rules provide for voting for an uncommitted status, the instruction shall read, "You may vote for one presidential candidate whose name appears on the ballot by making a mark [~~placing an 'X'~~] in the shape [~~square~~] beside the candidate's name or you may vote as uncommitted by making a mark [~~placing an 'X'~~] in the shape [~~square~~] beside 'Uncommitted.' Make only one choice." The instruction shall be changed as appropriate to accommodate the form of a voting system ballot.

SECTION 40. Same as House version.

SECTION 41. Section 191.008(d), Election Code, is amended to read as follows:

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

SECTION 41. Same as House version.

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HOUSE VERSION

SECTION 42. The following sections of the Election Code are repealed:

- (1) Section 171.054(g);
- (2) Section 174.023(b); and
- (3) Section 174.064(b).

SECTION 43. This Act takes effect September 1, 2019.

SENATE VERSION (CS)

SECTION 42. The following provisions of the Election Code are repealed:

- (1) Section 171.054(g);
- (2) Section 174.023(b); and
- (3) Section 174.064(b).

SECTION 43. Same as House version.

CONFERENCE