87S10407 SLB-D

By:  Bucy H.B. No. 60

A BILL TO BE ENTITLED

AN ACT

relating to the secretary of state posting on the secretary of state's Internet website databases containing certain information about elections.

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

SECTION 1.  Section 4.003, Election Code, is amended by amending Subsection (e) and adding Subsection (e-1) to read as follows:

(e)  The authority responsible for giving notice of the election shall deliver:

(1)  to the secretary of state a copy of the notice of a consolidated precinct required by Subsection (b) not later than the date of the election; and

(2)  in January of each year information for the secretary of state's database of election information under Section 31.017 in an electronic format as follows:

(A)  if the authority is a county or political party, as required by the secretary of state; or

(B)  if the authority is a political subdivision other than a county, to the county in which the authority is located.

(e-1)  A county receiving information under Subsection (e)(2)(B) shall forward the information to the secretary of state.

SECTION 2.  Subchapter A, Chapter 31, Election Code, is amended by adding Sections 31.017 and 31.018 to read as follows:

Sec. 31.017.  INTERNET DATABASE OF ELECTION INFORMATION. (a) The secretary of state shall post on the secretary of state's public Internet website a database containing information provided under Sections 4.003(e) and (e-1). The database must include the following information:

(1)  the name of the authority;

(2)  each office to be filled at the election;

(3)  whether the office is elected at large or by district; and

(4)  the dates of the preceding and next election for the office.

(b)  The secretary of state shall adopt rules as necessary to implement this section.

Sec. 31.018.  INTERNET DATABASE FOR INCUMBENTS AND CANDIDATES. (a) The secretary of state shall post on the secretary of state's Internet website a database containing information about each holder of and candidate for any partisan elected office in this state.

(b)  The database must include the following information about a holder of a partisan elected office, the office of mayor, or a position on the governing body of a city:

(1)  name;

(2)  office title, including any district, place, or position and a notation that the person is an incumbent;

(3)  if the office is elected at large or by district;

(4)  date of the previous and next election for the office;

(5)  public mailing address;

(6)  public telephone number, if available; and

(7)  public e-mail address, if available.

(c)  The database must include the following information about a candidate for a partisan elected office, the office of mayor, or a position on the governing body of a city:

(1)  name;

(2)  office sought, including any district, place, or position;

(3)  if the office is elected at large or by district;

(4)  date of the election;

(5)  public mailing address;

(6)  public telephone number, if available;

(7)  public e-mail address, if available; and

(8)  if the candidate has filed as a write-in candidate.

(d)  The county with whom a declaration of candidacy is filed, a state or county chair of a political party, or the presiding officer of a political party's convention shall provide information about a candidate or officeholder to the secretary of state. A political subdivision shall provide information about a candidate or officeholder to the county in which the political subdivision is located and the county shall forward that information to the secretary of state.

(e)  The secretary of state shall make the name, office, and party affiliation of the holder of a partisan elected office, the office of mayor, or a position on the governing body of a city available on the secretary of state's Internet website for as long as the person holds that office.

(f)  The secretary of state shall adopt rules as necessary to implement this section.

SECTION 3.  Section 141.032, Election Code, is amended by adding Subsection (h) to read as follows:

(h)  A county or political party with whom an application is filed shall provide the secretary of state with the candidate's information required for the secretary of state's Internet website under Section 31.018. A political subdivision with whom an application is filed shall provide the candidate's information to the county in which the political subdivision is located and the county shall forward the candidate's information to the secretary of state.

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 on the 91st day after the last day of the legislative session.