

By: Crockett

H.B. No. 197

A BILL TO BE ENTITLED

AN ACT

relating to the selection of presidential electors.

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

SECTION 1. Section 192.002(a), Election Code, is amended to read as follows:

(a) To be eligible to serve as a presidential elector, a person must:

(1) be a qualified voter of this state;

(2) be a resident of the congressional district the person is chosen to represent, if the person is an elector designated under Section 192.003(b)(2); and

(3) [~~2~~] not hold the office of United States senator, United States representative, or any other federal office of profit or trust.

SECTION 2. Section 192.003, Election Code, is amended to read as follows:

Sec. 192.003. METHOD OF BECOMING ELECTOR CANDIDATE. (a) To become a presidential elector candidate, a person must be nominated as a political party's elector candidate in accordance with party rules or named as an elector candidate by an independent or write-in candidate for president.

(b) The presidential elector candidates must be designated as follows:

(1) two persons to serve as at-large electors from the

1 state; and

2 (2) one person to serve as an elector from each  
3 congressional district.

4 SECTION 3. Section 192.005, Election Code, is amended to  
5 read as follows:

6 Sec. 192.005. VOTE REQUIRED FOR ELECTION. An elector  
7 candidate is elected if:

8 (1) for the persons designated under Section  
9 192.003(b)(1), the candidates for president and vice-president  
10 that correspond to the electors receive the most votes in the state;  
11 and

12 (2) for a person designated under Section  
13 192.003(b)(2), the candidates for president and vice-president  
14 that correspond to the elector receive the most votes in the  
15 congressional district the elector represents [~~The set of elector~~  
16 ~~candidates that is elected is the one that corresponds to the~~  
17 ~~candidates for president and vice-president receiving the most~~  
18 ~~votes].~~

19 SECTION 4. Section 192.007, Election Code, is amended to  
20 read as follows:

21 Sec. 192.007. REPLACEMENT AFTER ELECTION. (a) The  
22 electors meeting to vote for president and vice-president may  
23 appoint a replacement elector as provided by Subsection (b) [~~by a~~  
24 ~~majority vote of the qualified electors present]~~ if:

25 (1) the vacancy occurred before presidential election  
26 day and a replacement was not chosen under Section 192.004;

27 (2) on or after presidential election day, an elector

1 is declared ineligible or dies; or

2 (3) the vacancy is declared under Section 192.006(c).

3 (b) A replacement elector is chosen by the majority vote of  
4 the qualified electors present that correspond to the same  
5 candidates for president and vice-president that received the most  
6 votes in the area for which the replacement elector is chosen. If  
7 there are no qualified electors present that correspond to the same  
8 candidates for president and vice-president that received the most  
9 votes in the area for which the replacement elector is chosen, a  
10 replacement elector is chosen by the majority vote of all the  
11 qualified electors present.

12 (c) The chair of the electors shall notify the secretary of  
13 state of the name and residence address of a replacement elector  
14 immediately on the replacement's appointment.

15 SECTION 5. This Act takes effect September 1, 2021.