

By: Bucy

H.B. No. 217

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the secretary of state posting on the secretary of  
3 state's Internet website databases containing certain information  
4 about elections.

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

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

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

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

14 (2) in January of each year information for the  
15 secretary of state's database of election information under Section  
16 31.017 in an electronic format as follows:

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

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

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

24 SECTION 2. Subchapter A, Chapter 31, Election Code, is

1 amended by adding Sections 31.017 and 31.018 to read as follows:

2 Sec. 31.017. INTERNET DATABASE OF ELECTION INFORMATION.

3 (a) The secretary of state shall post on the secretary of state's  
4 public Internet website a database containing information provided  
5 under Sections 4.003(e) and (e-1). The database must include the  
6 following information:

7 (1) the name of the authority;

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

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

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

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

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

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

23 (1) name;

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

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

27 (4) date of the previous and next election for the

1 office;

2 (5) public mailing address;

3 (6) public telephone number, if available; and

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

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

8 (1) name;

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

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

12 (4) date of the election;

13 (5) public mailing address;

14 (6) public telephone number, if available;

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

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

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

26 (e) The secretary of state shall make the name, office, and  
27 party affiliation of the holder of a partisan elected office, the

1 office of mayor, or a position on the governing body of a city  
2 available on the secretary of state's Internet website for as long  
3 as the person holds that office.

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

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

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

16 SECTION 4. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect on the 91st day after the last day of the  
21 legislative session.