

BILL ANALYSIS

H.B. 1183
By: Dutton
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding certain eligibility requirements for public office in Texas with regard to candidates with felony convictions. While state law requires an application for a place on the ballot to include a statement indicating that a candidate convicted of a felony has been pardoned or otherwise released from the resulting disabilities of the conviction, the exact specifics of these conditions has led to confusion. H.B. 1183 seeks to address this issue by requiring a candidate to provide certain evidence evincing removal of those disabilities and to include a statement regarding the removal among the contents of the application.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1183 amends the Election Code to require a convicted felon applying for a place on the ballot to provide a certified copy of the candidate's pardon or other documentation evincing removal of disability. The bill requires each official form for an application for a place on the ballot to include, adjacent to the required statement regarding a candidate's status as a convicted felon, a notice printed in boldfaced type and capital letters that reads: "RESTORATION OF VOTING RIGHTS IS NOT THE SAME AS REMOVAL OF DISABILITY FOR PURPOSES OF SATISFYING ELIGIBILITY REQUIREMENTS FOR PUBLIC OFFICE."

EFFECTIVE DATE

September 1, 2021.