87R2863 JON-D

By:  Murr H.B. No. 1160

A BILL TO BE ENTITLED

AN ACT

relating to the replacement of a presidential or vice-presidential candidate in the event of the candidate's withdrawal, death, or ineligibility.

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

SECTION 1.  Subchapter A, Chapter 192, Election Code, is amended by adding Section 192.009 to read as follows:

Sec. 192.009.  REPLACEMENT NOMINEE. An elector shall consider a replacement candidate certified under Subchapter C to be the presidential or vice-presidential candidate for whom the elector is the corresponding presidential elector candidate.

SECTION 2.  Section 192.062(a), Election Code, is amended to read as follows:

(a)  The secretary of state shall certify in writing [~~for placement on the ballot~~] the name of a political party's replacement nominee for president or vice-president of the United States as follows [~~if~~]:

(1)  for placement on the ballot for an [~~the~~] original nominee who withdraws, dies, or is declared ineligible on or before the 74th day before presidential election day if [~~; and~~

[~~(2)~~] the party's state chair delivers certification of the replacement nominee's name, signed by the state chair, to the secretary of state not later than 5 p.m. of the 71st day before presidential election day; or

(2)  to the nominating party's presidential elector candidates for an original nominee who withdraws, dies, or is declared ineligible after the 74th day before presidential election day if the party's state chair delivers certification of the replacement nominee's name, signed by the state chair, to the secretary of state not later than 2 p.m. on the Monday after the second Wednesday in December of a presidential election year.

SECTION 3.  Section 192.064(a), Election Code, is amended to read as follows:

(a)  The secretary of state shall certify in writing [~~for placement on the ballot~~] the name of a replacement vice-presidential running mate for an independent candidate for president of the United States as follows [~~if~~]:

(1)  for placement on the ballot for an [~~the~~] original running mate who withdraws, dies, or is declared ineligible on or before the 74th day before presidential election day if [~~; and~~

[~~(2)~~] the independent presidential candidate delivers certification of the replacement running mate's name, signed by the presidential candidate, to the secretary of state not later than 5 p.m. of the 71st day before presidential election day; or

(2)  to the presidential candidate's corresponding presidential elector candidates for an original running mate who withdraws, dies, or is declared ineligible after the 74th day before presidential election day if the independent presidential candidate delivers certification of the replacement running mate's name, signed by the presidential candidate, to the secretary of state not later than 2 p.m. on the Monday after the second Wednesday in December of a presidential election year.

SECTION 4.  This Act takes effect September 1, 2021.