87R9063 MLH-D

By:  Dutton H.B. No. 2291

A BILL TO BE ENTITLED

AN ACT

relating to eligibility requirements for public office and to the form of an application for a place on the ballot.

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

SECTION 1.  This Act may be cited as the Felon Candidacy Disambiguation Act.

SECTION 2.  Section 141.001(a), Election Code, is amended to read as follows:

(a)  To be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, a person must:

(1)  be a United States citizen;

(2)  be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;

(3)  have not been determined by a final judgment of a court exercising probate jurisdiction to be:

(A)  totally mentally incapacitated; or

(B)  partially mentally incapacitated without the right to vote;

(4)  have not been finally convicted of a felony for [~~from~~] which the person has not provided documentation under Section 141.031(e) that the person has been pardoned or otherwise released from the resulting disabilities;

(5)  have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:

(A)  for a candidate whose name is to appear on a general primary election ballot, the date of the regular filing deadline for a candidate's application for a place on the ballot;

(B)  for an independent candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot;

(C)  for a write-in candidate, the date of the election at which the candidate's name is written in;

(D)  for a party nominee who is nominated by any method other than by primary election, the date the nomination is made; and

(E)  for an appointee to an office, the date the appointment is made;

(6)  on the date described by Subdivision (5), be registered to vote in the territory from which the office is elected; and

(7)  satisfy any other eligibility requirements prescribed by law for the office.

SECTION 3.  Section 141.031, Election Code, is amended by adding Subsection (e) to read as follows:

(e)  In support of the statement required by Subsection (a)(4)(G), a candidate shall provide a certified copy of the candidate's pardon or other documentation evincing removal of disability.

SECTION 4.  Section 141.039, Election Code, is amended to read as follows:

Sec. 141.039.  OFFICIAL APPLICATION FORM. In addition to the other statements and spaces for entering information that appear on an officially prescribed form for an application for a place on the ballot, each official form for an application that a candidate is required to file under this code must include:

(1)  a space for indicating the form in which the candidate's name is to appear on the ballot;

(2)  a space for the candidate's public mailing address;

(3)  spaces for the candidate's home and office telephone numbers and e-mail address at which the candidate receives correspondence relating to the candidate's campaign; [~~and~~]

(4)  a statement informing candidates that the furnishing of the telephone numbers is optional; and

(5)  a notice adjacent to the statement required by Section 141.031(a)(4)(G), 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.".

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