

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

1 months and in the territory from which the office is elected for six
2 months immediately preceding the following date:

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

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

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

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

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

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

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

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

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

27 SECTION 4. Section [141.039](#), Election Code, is amended to

1 read as follows:

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

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

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

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

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

17 (5) a notice adjacent to the statement required by
18 Section 141.031(a)(4)(G), printed in boldfaced type and capital
19 letters, that reads: "RESTORATION OF VOTING RIGHTS IS NOT THE SAME
20 AS REMOVAL OF DISABILITY FOR PURPOSES OF SATISFYING ELIGIBILITY
21 REQUIREMENTS FOR PUBLIC OFFICE.".

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