

By: Bucy

H.B. No. 2859

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(e), Election Code, is amended to  
7 read as follows:

8 (e) The authority responsible for giving notice of the  
9 election shall deliver to the secretary of state:

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

13 (2) information for the secretary of state's database  
14 of election information under Section 31.017 in an electronic  
15 format required by the secretary of state.

16 SECTION 2. Subchapter A, Chapter 31, Election Code, is  
17 amended by adding Sections 31.017 and 31.018 to read as follows:

18 Sec. 31.017. INTERNET DATABASE OF ELECTION INFORMATION.

19 (a) The secretary of state shall post on the secretary of state's  
20 public Internet website a database containing information provided  
21 by each authority responsible for giving notice of an election in  
22 this state. The database must include the following information:

23 (1) the name of the authority;

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

1           (3) whether the office is elected at large or by  
2 district; and

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

5           (b) The secretary of state:

6           (1) may solicit and accept gifts, grants, and  
7 donations from any public or private source for the creation and  
8 maintenance of the database; and

9           (2) shall adopt rules as necessary to implement this  
10 section.

11           Sec. 31.018. INTERNET DATABASE FOR INCUMBENTS AND  
12 CANDIDATES. (a) The secretary of state shall post on the secretary  
13 of state's Internet website a database containing information about  
14 each holder of and candidate for any elected office in this state.

15           (b) The database must include the following information  
16 about a holder of an elected office:

17           (1) name;

18           (2) office title, including any district, place, or  
19 position;

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

21           (4) date of the previous and next election for the  
22 office;

23           (5) public mailing address;

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

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

26           (c) The database must include the following information  
27 about a candidate for an elected office:

- 1           (1) name;  
2           (2) office sought, including any district, place, or  
3 position;  
4           (3) if the office is elected at large or by district;  
5           (4) date of the election;  
6           (5) public mailing address;  
7           (6) public telephone number, if available;  
8           (7) public e-mail address, if available;  
9           (8) name of the incumbent; and  
10           (9) if the candidate has filed as a write-in  
11 candidate.

12           (d) The authority with whom a declaration of candidacy is  
13 filed, a state chair of a political party, or the presiding officer  
14 of a political party's convention shall provide information about a  
15 candidate or officeholder to the secretary of state.

16           (e) The secretary of state may prescribe any procedures  
17 necessary to implement this section.

18           SECTION 3. Section [52.003](#), Election Code, is amended by  
19 adding Subsection (d) to read as follows:

20           (d) A candidate's name may not be printed on the ballot  
21 until the candidate's name appears on the secretary of state's  
22 Internet website as a candidate for elected office under Section  
23 31.018.

24           SECTION 4. Section [141.032](#), Election Code, is amended by  
25 adding Subsection (h) to read as follows:

26           (h) The authority with whom the application is filed shall  
27 provide the secretary of state with the candidate's information

1 required for the secretary of state's Internet website under  
2 Section 31.018.

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