

By: Noble

H.B. No. 3152

A BILL TO BE ENTITLED

AN ACT

relating to candidates who are ineligible for office.

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

SECTION 1. Subchapter A, Chapter 145, Election Code, is amended by adding Section 145.0035 to read as follows:

Sec. 145.0035. SECRETARY OF STATE TO SEEK REMOVAL OF INELIGIBLE CANDIDATE FROM BALLOT. If the secretary of state becomes aware of a candidate who has withdrawn, has died, or is ineligible but whose name has not been omitted from the ballot, the secretary may petition a district court for appropriate relief.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.