

By: Landgraf

H.B. No. 3302

A BILL TO BE ENTITLED

AN ACT

relating to the order of names of certain candidates on a ballot.

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

SECTION 1. Section 2.002(d), Election Code, is amended to read as follows:

(d) The order of the candidates' names on each ~~[the]~~ ballot shall be determined in the same manner as the ~~[relative]~~ order of names on the original ballot.

SECTION 2. Sections 52.094(a) and (b), Election Code, are amended to read as follows:

(a) Except as otherwise provided by law, for an election at which the names of more than one candidate for the same office are to appear on the ballot in an independent column or are to appear on a general or special election ballot that does not contain a party nominee, the order of the candidates' names on each ballot shall be randomly determined ~~[by a drawing]~~. The order of the candidates' names on each ~~[the]~~ ballot of any resulting runoff election or election held to resolve a tie vote shall be determined in the same manner as the ~~[relative]~~ order of names on the original election ballot.

(b) The secretary of state may adopt rules necessary to implement this section ~~[authority responsible for having the official ballot prepared for the election shall conduct the drawing]~~.

1 SECTION 3. Section 203.013(h), Election Code, is amended to
2 read as follows:

3 (h) The order of the candidates' names on each [~~the~~] runoff
4 election ballot shall be determined in the same manner as the
5 [~~relative~~] order of names on the original expedited election
6 ballot.

7 SECTION 4. Sections 52.094(c), (d), and (e), Election Code,
8 are repealed.

9 SECTION 5. This Act applies only to an election ordered on
10 or after September 1, 2022. An election ordered before September 1,
11 2022, is governed by the law as it existed immediately before the
12 effective date of this Act, and that law is continued in effect for
13 that purpose.

14 SECTION 6. This Act takes effect September 1, 2021.