

By: Miles

S.B. No. 1633

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the eligibility requirements for a public elective  
3 office.

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

5 SECTION 1. Section 141.001(a), Election Code, is amended to  
6 read as follows:

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

9 (1) be a United States citizen;

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

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

15 (A) totally mentally incapacitated; or

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

18 (4) have not been finally convicted of a felony or, if  
19 so convicted, has:

20 (A) fully discharged the person's sentence,  
21 including any term of incarceration, parole, or supervision, or  
22 completed a period of probation ordered by any court; or

23 (B) [~~from which the person has not~~] been pardoned  
24 or otherwise released from the resulting disabilities;

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

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

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

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

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

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

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

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

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