

By: Hughes

S.B. No. 6

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to requirements for trial in the contest of an election on  
3 a proposed constitutional amendment.

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

5 SECTION 1. Section 233.014, Election Code, is amended by  
6 amending Subsections (d), (f), and (h) and adding Subsection (g-1)  
7 to read as follows:

8 (d) The trial date may not be ~~[earlier than the 45th day~~  
9 ~~after the date of the contested election nor]~~ later than the 50th  
10 ~~[180th]~~ day after the date of the contested election. ~~[The trial~~  
11 ~~date may be earlier than the 45th day after the date of the~~  
12 ~~contested election at the request of the contestant.]~~

13 (f) The court shall include in its judgment in a contest an  
14 order directing the governor to declare the official result of the  
15 election or to declare the election void, as appropriate, not later  
16 than the fifth ~~[10th]~~ day after the trial date ~~[the judgment becomes~~  
17 ~~final].~~

18 (g-1) Any appeal of the contest must be filed not later than  
19 the fifth day after the date the judgment becomes final.

20 (h) If a contestant files an appeal of the contest:

21 (1) [7] the [appellate] court of appeals must ensure  
22 its judgment is rendered not later than the 30th day after the date  
23 the judgment of the trial court becomes final; and

24 (2) the Texas Supreme Court must ensure that the

1 action is brought to final disposition not later than the 30th  
2 [~~180th~~] day after the date the judgment of the court of appeals  
3 becomes final.

4 SECTION 2. Section 233.014(e), Election Code, is repealed.

5 SECTION 3. The changes in law made by this Act to Section  
6 233.014, Election Code:

7 (1) apply to any contest of an election on a proposed  
8 constitutional amendment held on or after November 1, 2023; and

9 (2) do not affect the validity of any action taken  
10 under prior law before the effective date of this Act.

11 SECTION 4. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect on the 91st day after the last day of the  
16 legislative session.