88R8058 MPF-D

By:  Kacal H.B. No. 3046

A BILL TO BE ENTITLED

AN ACT

relating to the omission of a deceased candidate from the ballot in certain elections.

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

SECTION 1.  Section 145.096(a), Election Code, is amended to read as follows:

(a)  Except as provided by Subsection (b) or Section 145.098(b) or (c), a candidate's name shall be placed on the ballot if the candidate:

(1)  dies on or after the second day before the deadline for filing the candidate's application for a place on the ballot;

(2)  is declared ineligible after 5 p.m. of the fifth day after the deadline for filing the candidate's application for a place on the ballot, in an election subject to Section 145.092(a);

(3)  is declared ineligible after 5 p.m. of the 57th day before election day, in an election subject to Section 145.092(b); or

(4)  is declared ineligible after 5 p.m. of the 71st day before election day, in an election subject to Section 145.092(f).

SECTION 2.  Section 145.098, Election Code, is amended by adding Subsection (c) to read as follows:

(c)  If a candidate dies before the ballots are printed, the authority responsible for preparing the ballots may choose to omit the candidate from the ballot.

SECTION 3.  The change in law made by this Act applies only to an election ordered on or after the effective date of this Act.

SECTION 4.  This Act takes effect September 1, 2023.