By:  Middleton S.B. No. 1705

(In the Senate - Filed March 7, 2023; March 16, 2023, read first time and referred to Committee on State Affairs; April 5, 2023, reported adversely, with favorable Committee Substitute by the following vote: Yeas 8, Nays 3; April 5, 2023, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Hughes          X

Paxton          X

Bettencourt     X

Birdwell        X

LaMantia            X

Menéndez            X

Middleton       X

Parker          X

Perry           X

Schwertner      X

Zaffirini           X

COMMITTEE SUBSTITUTE FOR S.B. No. 1705 By:  Hughes

A BILL TO BE ENTITLED

AN ACT

relating to nominations by primary election by certain political parties.

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

SECTION 1.  Section 172.001, Election Code, is amended to read as follows:

Sec. 172.001.  NOMINATING BY PRIMARY ELECTION REQUIRED. Except as otherwise provided by this code, a political party's nominees in the general election for offices of state and county government and the United States Congress must be nominated by primary election, held as provided by this code, if the party's nominee for a statewide office [~~governor~~] in any of the five preceding [~~the most recent gubernatorial~~] general elections for that office [~~election~~] received two [~~20~~] percent or more of the total number of votes received by all candidates for that office [~~governor~~] in the election.

SECTION 2.  Section 181.003, Election Code, is amended to read as follows:

Sec. 181.003.  NOMINATING BY CONVENTION REQUIRED. A political party must make nominations for the general election for state and county officers by convention, as provided by this chapter, if the party is not required [~~or authorized~~] to nominate by primary election.

SECTION 3.  Sections 172.002 and 181.002, Election Code, are repealed.

SECTION 4.  The changes in law made by this Act apply beginning with nominations made for an election held on or after January 1, 2024.

SECTION 5.  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, 2023.

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