

By: Rogers

H.B. No. 789

A BILL TO BE ENTITLED

AN ACT

relating to eligibility to be a candidate for, or elected or appointed to, a public elective office in this state.

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

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

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

(1) be a United States citizen;

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

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

(A) totally mentally incapacitated; or

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

(4) have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;

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

(A) for a candidate whose name is to appear on a

1 general primary election ballot, the date of the regular filing
2 deadline for a candidate's application for a place on the ballot;

3 (B) for an independent candidate, the date of the
4 regular filing deadline for a candidate's application for a place
5 on the ballot;

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

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

11 (E) for an appointee to an office, the date the
12 appointment is made;

13 (6) on the date described by Subdivision (5), be
14 registered to vote in the territory from which the office is
15 elected; ~~and~~

16 (7) satisfy any other eligibility requirements
17 prescribed by law for the office; and

18 (8) have paid all child support due and payable by the
19 person unless:

20 (A) the person has made all due payments under a
21 payment plan; or

22 (B) the child support due is being contested or
23 negotiated.

24 SECTION 2. This Act takes effect September 1, 2023.