

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.

H.B. No. 3046

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

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