

By: Orr

H.B. No. 4636

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the eligibility of political party candidates or  
3 officers and certain procedures of the county executive committee.

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

5 SECTION 1. Section 161.005(a), Election Code, is amended to  
6 read as follows:

7 (a) To be eligible to be a candidate for or to serve as an  
8 officer of a political party, a person must:

9 (1) except as provided by Subsection (c), not be a  
10 candidate for nomination or election to, or be the holder of, an  
11 elective office of the federal, state, or county government; ~~and~~

12 (2) if the office is a county or precinct chair of a  
13 political party, be a qualified voter of the county; and

14 (3) have not been finally convicted of a felony from  
15 which the person has not been pardoned or otherwise released from  
16 the resulting disabilities.

17 SECTION 2. Section 171.022, Election Code, is amended by  
18 adding Subsection (e) to read as follows:

19 (e) The county chair may appoint ex officio, nonvoting  
20 members, as necessary, to assist the county executive committee in  
21 conducting business, to serve at the pleasure of the chair.

22 SECTION 3. Section 171.024(c), Election Code, is amended to  
23 read as follows:

24 (c) If a vacancy occurs in the office of precinct chair, the

1 county chair shall appoint a replacement who meets the  
2 qualifications for office under Section 161.005(a) to serve for the  
3 remainder of the term. The county chair may form a vacancy  
4 committee to assist in filling vacancies under this subsection  
5 ~~[Each party shall adopt rules to determine a percentage of~~  
6 ~~committee membership that constitutes a quorum for purposes of~~  
7 ~~filling a vacancy in the office of precinct chair. To be elected, a~~  
8 ~~person must receive a favorable vote of a majority of the members~~  
9 ~~voting].~~

10 SECTION 4. Section 171.026, Election Code, is amended to  
11 read as follows:

12 Sec. 171.026. MEETINGS; PROXY NOT ALLOWED. (a) The county  
13 chair shall set the schedule for meetings and the agenda for each  
14 meeting.

15 (b) A person may not participate in a county executive  
16 committee meeting as a proxy.

17 (c) A county executive committee meeting may be in person or  
18 by videoconference, as provided by Section 551.127, Government  
19 Code.

20 SECTION 5. The heading to Section 171.028, Election Code,  
21 is amended to read as follows:

22 Sec. 171.028. COUNTY CHAIR AUTHORITY AND TRANSITION.

23 SECTION 6. Section 171.028, Election Code, is amended by  
24 amending Subsection (a) and adding Subsection (e) to read as  
25 follows:

26 (a) Not later than the 30th day after the date the term of  
27 office of a new county chair begins, the person formerly serving as

1 the county chair shall transfer to the new county chair:

2 (1) all local party [~~bank~~] accounts [~~over which the~~  
3 ~~former county chair has authority~~]; and

4 (2) the following original records that are in the  
5 possession of the former county chair:

6 (A) precinct chair and county chair canvass  
7 results;

8 (B) candidate applications;

9 (C) paperwork related to the primary election;

10 and

11 (D) other documents concerning party affairs.

12 (e) The county chair has authority over and is the  
13 administrator of all party accounts and contracts.

14 SECTION 7. Section [171.029](#), Election Code, is amended by  
15 adding Subsections (e) and (f) to read as follows:

16 (e) A precinct or county chair may be removed from office  
17 under this section if the precinct or county chair no longer meets  
18 the eligibility requirements under Section [161.005](#).

19 (f) A precinct or county chair may not be removed except as  
20 provided by this section.

21 SECTION 8. This Act takes effect September 1, 2023.