

By: Schwertner

S.B. No. 993

A BILL TO BE ENTITLED

AN ACT

relating to the process of applying for a place on a ballot.

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

SECTION 1. Section 141.031(a), Election Code, is amended to read as follows:

(a) A candidate's application for a place on the ballot that is required by this code must:

(1) be in writing;

(2) be signed and sworn to by the candidate in the physical presence of ~~[before]~~ a person authorized to administer oaths in this state ~~[by the candidate]~~ and indicate the date that the candidate swears to the application;

(3) be timely filed with the appropriate authority; and

(4) include:

(A) the candidate's name;

(B) the candidate's occupation;

(C) the office sought, including any place number or other distinguishing number;

(D) an indication of whether the office sought is to be filled for a full or unexpired term if the office sought and another office to be voted on have the same title but do not have place numbers or other distinguishing numbers;

(E) a statement that the candidate is a United

1 States citizen;

2 (F) a statement that the candidate has not been
3 determined by a final judgment of a court exercising probate
4 jurisdiction to be:

5 (i) totally mentally incapacitated; or

6 (ii) partially mentally incapacitated
7 without the right to vote;

8 (G) an indication that the candidate has either
9 not been finally convicted of a felony or if so convicted has been
10 pardoned or otherwise released from the resulting disabilities;

11 (H) the candidate's date of birth;

12 (I) the candidate's residence address or, if the
13 residence has no address, the address at which the candidate
14 receives mail and a concise description of the location of the
15 candidate's residence;

16 (J) the candidate's length of continuous
17 residence in the state and in the territory from which the office
18 sought is elected as of the date the candidate swears to the
19 application;

20 (K) the statement: "I, _____, of _____
21 County, Texas, being a candidate for the office of _____,
22 swear that I will support and defend the constitution and laws of
23 the United States and of the State of Texas";

24 (L) a statement that the candidate is aware of
25 the nepotism law, Chapter 573, Government Code; and

26 (M) a public mailing address at which the
27 candidate receives correspondence relating to the candidate's

1 campaign, if available, and an electronic mail address at which the
2 candidate receives correspondence relating to the candidate's
3 campaign, if available.

4 SECTION 2. Section 141.065(a), Election Code, is amended to
5 read as follows:

6 (a) Each part of a petition must include an affidavit of the
7 person who circulated it, executed in the physical presence of
8 ~~[before]~~ a person authorized to administer oaths in this state,
9 stating that the person who circulated the petition:

10 (1) pointed out and read to each signer, before the
11 petition was signed, each statement pertaining to the signer that
12 appears on the petition;

13 (2) witnessed each signature;

14 (3) verified each signer's registration status; and

15 (4) believes each signature to be genuine and the
16 corresponding information to be correct.

17 SECTION 3. The changes in law made by this Act apply only to
18 an application or affidavit submitted on or after the effective
19 date of this Act.

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