By: Parker, et al.   S.B. No. 1089

A BILL TO BE ENTITLED

1   AN ACT

2 relating to repealing the ability to declare certain unopposed

3 candidates for office as elected.

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

5   SECTION 1. Section 2.051(a), Election Code, is amended to

6 read as follows:

7   (a) Except as provided by Section [Sections] 2.055 [and

8 2.056], this subchapter applies only to an election for officers of

9 a political subdivision other than a county in which write-in votes

10 may be counted only for names appearing on a list of write-in

11 candidates and in which each candidate for an office that is to

12 appear on the ballot is unopposed, except as provided by Subsection

13 (b). For purposes of this section, a special election of a

14 political subdivision is considered to be a separate election with

15 a separate ballot from:

16   (1) a general election for officers of the political

17 subdivision held at the same time as the special election; or

18   (2) another special election of the political

19 subdivision held at the same time as the special election.

20   SECTION 2. Section 52.092(a), Election Code, is amended to

21 read as follows:

22   (a) Except as provided by Section 2.053(c) [or 2.056(c)],

23 for an election at which offices regularly filled at the general

24 election for state and county officers are to appear on the ballot,

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1 the offices shall be listed in the following order:

2   (1)   offices of the federal government;

3   (2)   offices of the state government:

4   (A)   statewide offices;

5   (B)   district offices;

6   (3)   offices of the county government:

7   (A)   county offices;

8   (B)   precinct offices.

9   SECTION 3. Sections 2.056 and 124.003(e), Election Code,

10 are repealed.

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