

BILL ANALYSIS

H.B. 4309
By: Bucy
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that Texas law currently imposes different administrative requirements on political parties depending on how they nominate their candidates. While candidates from political parties that nominate candidates by primary election are required to pay their filing fees directly to their party under current law, candidates from political parties that nominate by convention must pay those fees to the secretary of state. H.B. 4309 seeks to correct this disparity and level the playing field for all candidates and parties by allowing all candidates, regardless of party nomination method, to pay filing fees directly to their political party.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4309 amends the Election Code to change the entities to which a candidate must pay a filing fee or submit a petition in lieu of a filing fee to be considered for nomination by convention, in addition to any other requirements, as follows:

- for a statewide or district office, from the secretary of state to the state chair of a political party; and
- for a county or precinct office, from the county judge to the county chair of a political party.

Accordingly, the bill repeals the requirement for a filing fee received by the secretary of state to be deposited in the state treasury to the credit of the general revenue fund and the requirement for a filing fee received by a county judge to be deposited in the county treasury to the credit of the county general fund.

H.B. 4309 repeals Sections 181.0311(c) and (d), Election Code.

EFFECTIVE DATE

September 1, 2025.