

## **BILL ANALYSIS**

Senate Research Center  
89R14311 MPF-D

S.B. 1539  
By: Bettencourt  
State Affairs  
3/7/2025  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Concerns have been raised about frivolous lawsuits being filed throughout Texas that could impact the implementation of constitutional amendments that the majority of the voters have approved. This could allow for approved constitutional amendments to get tied up in litigation. S.B. 1539 establishes that the filing of an election contest does not suspend the implementation of a constitutional amendment that was approved by the majority of the votes cast in the election.

As proposed, S.B. 1539 amends current law relating to requirements and procedures in the contest of an election on a proposed constitutional amendment.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 233.014(c) and (f), Election Code, as follows:

(c) Provides that the filing of an election contest does not suspend implementation of a constitutional amendment that was approved by the majority of the votes cast.

Deletes existing text prohibiting the declaration of the official result of a contested election from being made until the contest is finally determined. Deletes existing text requiring the secretary of state to tabulate the county returns and the governor to announce the final vote count, as ascertained from the returns, in a written document. Deletes existing text requiring that the document announcing the final vote count state that a contest of the election has been filed and that the declaration of the official result will not be made until the contest is finally determined.

(f) Requires the court to include in its judgment in a contest an order directing the governor to declare the election valid or void, as appropriate, not later than the 10th day after the date the judgment becomes final. Deletes existing text requiring the court to include in its judgment in a contest an order directing the governor to declare the official result of the election or to declare the election void, as appropriate, not later than the 10th day after the date the judgment becomes final.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2025.