

By: Kolkhorst

S.B. No. 901

A BILL TO BE ENTITLED

AN ACT

relating to the declaration of a candidate's ineligibility on the basis of filing an application for a place on the general primary election ballot or for nomination by convention with more than one political party.

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

SECTION 1. Chapter 162, Election Code, is amended by adding Section 162.0151 to read as follows:

Sec. 162.0151. CANDIDACY PROHIBITED. (a) A candidate who files an application for a place on the general primary election ballot or for nomination by convention with more than one political party in the same voting year shall be ineligible for:

(1) a place on the ballot for a general primary election;

(2) nomination by convention; and

(3) the succeeding general election as:

(A) an independent candidate;

(B) the nominee of a political party; or

(C) a write-in candidate.

(b) A candidate's name shall be omitted from the general primary election ballot of each political party with which the candidate filed an application for a place on the ballot if, not later than the 10th day after the date of the regular filing deadline for the general primary election, the secretary of state

determines that the candidate is ineligible under Subsection (a).

(c) The secretary of state shall provide written notice to a candidate declared ineligible under this section. The notice required under this subsection shall inform the candidate:

(1) of the candidate's ineligibility;

(2) that the candidate may withdraw from the general primary election under Section 172.052; and

(3) if the candidate refuses to withdraw, the candidate's name shall be omitted from the general primary election ballot.

(d) The secretary of state shall prescribe any procedures necessary to implement this section.

SECTION 2. Section 172.028(c), Election Code, is amended to read as follows:

(c) A candidate's name may not be certified:

(1) if, before delivering the certification, the state chair learns that the name is to be omitted from the ballot under Section 162.0151 or Section 172.057; or

(2) for an office for which the candidate's application is invalid under Section 141.033.

SECTION 3. Section 181.068(c), Election Code, is amended to read as follows:

(c) A presiding officer may not certify a candidate's name:

(1) if, before delivering the certification, the presiding officer learns that the name is to be omitted from the ballot under Section 145.035 or Section 162.0151; or

(2) for an office for which the candidate's

1 application is invalid under Section 141.033.

2       SECTION 4. Section 182.007(c), Election Code, is amended to  
3 read as follows:

4       (c) The county chair may not certify a candidate's name:

5           (1) if, before delivering the certification, the  
6 county chair learns that the name is to be omitted from the ballot  
7 under Section 145.035 or Section 162.0151; or

8           (2) for an office for which the candidate's  
9 application is invalid under Section 141.033.

10       SECTION 5. This Act takes effect September 1, 2025.