

By: Bettencourt
(Shaheen)

S.B. No. 1539

A BILL TO BE ENTITLED

AN ACT

relating to requirements and procedures in the contest of an election on a proposed constitutional amendment.

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

SECTION 1. Section 233.014, Election Code, is amended by amending Subsections (c), (d), (f), and (h) and adding Subsection (c-1) to read as follows:

(c) The filing of an election contest does not suspend implementation of a constitutional amendment that was approved by the majority of the votes cast ~~[The declaration of the official result of a contested election may not be made until the contest is finally determined. The secretary of state shall tabulate the county returns and the governor shall announce the final vote count, as ascertained from the returns, in a written document. The document announcing the final vote count must 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].~~

(c-1) The trial court must ensure that a written ruling on a pretrial motion before the court is entered not later than the 30th day after the date the motion is filed.

(d) The trial date may not be earlier than the 45th day after the date of the contested election except ~~[nor later than the 180th day after the date of the contested election. The trial date may be~~

1 ~~earlier than the 45th day after the date of the contested election]~~
2 at the request of the contestant. The trial court must ensure the
3 judgment of the court is not filed later than the 180th day after
4 the date of the contested election.

5 (f) The court shall include in its judgment in a contest an
6 order directing the governor to declare the ~~[official result of the~~
7 ~~election or to declare the]~~ election valid or void, as appropriate,
8 not later than the 10th day after the date the judgment becomes
9 final.

10 (h) If a contestant files an appeal of the contest, the
11 appellate court must ensure that the action is brought to final
12 disposition not later than the 60th ~~[180th]~~ day after the date the
13 judgment becomes final.

14 SECTION 2. The changes in law made by this Act apply to a
15 contest of a constitutional amendment election filed on or after
16 the effective date of this Act. A contest of a constitutional
17 amendment election filed before the effective date of this Act is
18 governed by the law in effect on the date that the suit is filed, and
19 the former law is continued in effect for that purpose.

20 SECTION 3. This Act takes effect September 1, 2025.