

BILL ANALYSIS

H.B. 3880
By: Goldman
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Candidates running for certain judicial offices or for justice of the peace in a county with a population of more than 1.5 million must file a petition signed by a minimum number of registered voters in the county in addition to paying the applicable filing fee, with a higher minimum required if the candidate chooses to file such petition instead of paying the filing fee. Interested parties note that candidates for other elected positions do not have to go through this additional step, which carries with it the potential for discrepancies regarding the validity of a signature that may lead to the disqualification of the judicial candidate. The parties contend that this requirement may constitute a barrier to entry for some persons who otherwise might apply for such a judicial office and also create the potential for litigation under certain circumstances. H.B. 3880 seeks to remedy this situation.

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. 3880 repeals Section 172.021(e), Election Code, setting out petition signature requirements for the petitions that candidates for certain judicial offices must submit with their respective applications for a place on the general primary election ballot, which vary with respect to whether a candidate chooses to submit the applicable filing fee with that application or chooses to file a petition in lieu of the filing fee.

EFFECTIVE DATE

September 1, 2015.