

BILL ANALYSIS

H.B. 464
By: Springer
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that the filing fees that are paid by certain candidates for nomination in a general primary election are used to help cover a variety of election expenses. The parties contend that there should be a requirement for certain candidates to pay a filing fee, or submit a petition in lieu of a filing fee, to appear on the ballot for the general election for state and county officers. H.B. 464 seeks to address this issue.

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 rulemaking authority is expressly granted to the secretary of state in SECTION 1 of this bill.

ANALYSIS

H.B. 464 amends the Election Code to require a candidate who is nominated by convention, in order to be eligible to be placed on the ballot for the general election for state and county officers, to pay a filing fee, or submit a valid petition in lieu of a filing fee, to the secretary of state for a statewide or district office or to the county judge for a county or precinct office. The bill sets the amount of the filing fee at the same amount as the filing fee required of a candidate for nomination for the same office in a general primary election and establishes that the minimum number of signatures that must appear on a petition in lieu of the filing fee is the same as the number required to appear on a petition of a candidate for nomination for the same office in a general primary election. The bill requires 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 requires a filing fee received by a county judge to be deposited in the county treasury to the credit of the county general fund. The bill requires the secretary of state to adopt rules as necessary to implement the bill's provisions.

EFFECTIVE DATE

September 1, 2015.