

BILL ANALYSIS

H.B. 4129
By: Swanson
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the process by which an authority preparing a ballot may omit a candidate's name from the ballot on the request of the candidate. It has been suggested that ambiguity surrounding this process causes complications for county officials preparing the ballots and may provide an opportunity for other entities to attempt to influence these officials. H.B. 4129 seeks to address this issue by revising the conditions under which a withdrawing candidate's name may be omitted from the ballot.

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. 4129 amends the Election Code, with respect to the conditions under which an authority responsible for preparing the ballots in an election other than the general election for state and county officers may choose to omit a candidate from the ballot on request of the candidate if the ballots have not been prepared at the time the candidate files the withdrawal request, to authorize the responsible authority to choose to omit a withdrawing candidate from the ballot if the applicable notice of the requisite test of logic and accuracy has not been published for an election using a voting system that uses direct recording electronic voting machines.

EFFECTIVE DATE

September 1, 2019.