

SUBJECT: Write-in candidacy requirements for Hutchinson County Hospital District

COMMITTEE: County Affairs — favorable, without amendments

VOTE: 8 ayes — R. Lewis, Kamel, Bonnen, Chisum, Denny, Flores, Gutierrez, G. Lewis

0 nays

1 absent— Christian

WITNESSES: None

BACKGROUND : The 74th Legislature enacted SB 680 by Shapiro, permitting political subdivisions other than counties to cancel an election if there are no opposed candidates nor any propositions on the ballot. The law applies to local governmental entities that have deadlines for write-in candidates to declare their intention to challenge the otherwise unopposed candidate. These entities include municipalities, school districts, water improvement and utility districts, and irrigation districts. The election cancellation provision does not apply to hospital districts, which generally do not have pre-election deadline requirements for write-in candidacy declaration.

DIGEST: HB 292 would amend Chapter 77, Acts of the 71st Legislature to require that write-in candidates for the Hutchinson County Hospital District general or special election file a pre-election declaration 45 days prior to an election.

HB 292 would provide that in the event a candidate died or was declared ineligible after the 48th day before an election, another person seeking the office would have 42 days prior to the election to file a declaration of write-in candidacy.

HB 292 would require that write-in candidates meet the statutory provisions for write-in candidates as mandated by the Election Code, as long as they are not in conflict with the requirements of this bill.

HB 292 would take effect September 1, 1997.

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NOTES:

A related bill, HB 3457 by Chisum, making various changes to the Hutchinson County Hospital District statute, also includes the provisions of HB 292 and would explicitly apply to the district the Election Code provision on canceling an election if all candidates are unopposed. HB 3457 passed the House on the Local and Consent Calendar on April 11 and has been referred to the Senate Intergovernmental Relations Committee.