Sec. 1024.053. BALLOT PETITION. A person who wants to have the person's name printed on the ballot as a candidate for director must file with the board secretary a petition requesting that action. The petition must:

1. be signed by at least 50 registered voters of the district as determined by the most recent official list of registered voters;
2. be filed not later than 5 p.m. on the same [62nd] day that an application for a place on the ballot must be filed under Section 144.005, Election Code [before the date of the election]; and
3. specify the single-member district [commissioners precinct] the candidate wants to represent [or specify that the candidate wants to represent the district at large].

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed by the House on May 2, 2013: Yeas 147, Nays 0, 2 present, not voting; passed by the Senate on May 20, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.
Effective June 14, 2013.

CHAPTER 1054
H.B. No. 3102
AN ACT
relating to political parties' governance and conventions.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 162.001(a), Election Code, is amended to read as follows:
(a) A person must be affiliated with a political party to be eligible [to:
(1) to serve as a delegate to or otherwise participate in a convention held by the party under this code;
(2) to be elected as a member of or be appointed to fill a vacancy on a state executive committee; [or]
(3) to be appointed to fill a vacancy on a county executive committee; or
(4) for any other purpose within the party as adopted by state party rules.

SECTION 2. Section 162.008, Election Code, is amended to read as follows:
Sec. 162.008. AFFILIATION PROCEDURE: TAKING OATH GENERALLY. (a) A person may [desiring to] affiliate with a political party at any time by taking an oath of affiliation [during that part of a voting year in which the general election for state and county officers is held that follows:
[(1) the date of the precinct conventions held under this title, for a party nominating by convention; or
[(2) 7 p.m. on general primary election day, for a party holding a primary election].
(b) On request of a person desiring to affiliate with a political party, a member of the county executive committee for the county in which the person resides or other person authorized by party rule shall administer the oath prescribed by Section 162.007(b).
(c) After administering the oath, the committee member or authorized person shall stamp the party's name on the person's registration certificate or issue the person an affiliation certificate as provided by Section 162.007(c).

SECTION 3. Section 162.010, Election Code, is amended to read as follows:

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Sec. 162.010. DURATION OF AFFILIATION. (a) Except as provided by Subsection (b), a party affiliation expires at the end of the voting year in which the person became affiliated.

(b) A party affiliation made in an odd-numbered year expires on the first day on which a person may file an application for a place on the general primary election ballot.

SECTION 4. Section 162.011(a), Election Code, is amended to read as follows:

(a) A person commits an offense if for the purpose of participating in a political party's convention or other party meeting or event the person presents to a party official:

(1) an affiliation certificate that the person knows was not issued in compliance with this chapter; or

(2) a voter registration certificate with a party affiliation stamp that the person knows was not obtained in compliance with this chapter.

SECTION 5. Chapter 162, Election Code, is amended by adding Section 162.017 to read as follows:

Sec. 162.017. PREREGISTRATION. (a) A political party holding a precinct convention may preregister attendees for the convention by electronic means or any other method the party may adopt by rule.

(b) The party may, through the preregistration process, collect the following information from attendees:

(1) demographic data;

(2) information needed to organize and prepare records of the convention; and

(3) any additional information required by party rule.

(c) In a presidential election year, the party may collect through preregistration declarations of support for presidential candidates or a statement of uncommitted status. The party may by rule use this information to aid in the selection of delegates to its county or senatorial district convention.

(d) If a political party collects declarations of support for presidential candidates or a statement of uncommitted status through preregistration under Subsection (c), it must employ a process by which an attendee may change the attendee's stated preference before the precinct convention.

(e) The preregistration process must include the statement described by Section 162.004(a) and require a preregistering attendee to affiliate with the party by taking the oath described in Section 162.007(b).

(f) The date and time at which preregistration opens and closes may be set by party rule.

(g) A person who does not preregister to attend a precinct convention under this section may register in person at the convention and must have voting rights identical to those of a person who preregistered.

SECTION 6. Section 163.004(a), Election Code, is amended to read as follows:

(a) A political party's rules, including amendments to rules, governing or affecting its general or runoff primary elections, conventions held under this code, or nominees may be adopted only by:

(1) a state convention; or

(2) the state executive committee as:

(A) a temporary rule, if adoption before the next state convention is necessary; or

(B) a permanent rule, if the state executive committee is expressly required or authorized by statute to adopt a rule.

SECTION 7. The heading to Section 163.005, Election Code, is amended to read as follows:

Sec. 163.005. FILING AND POSTING RULES [WITH SECRETARY OF STATE]; EFFECTIVE DATE.
SECTION 8. Section 163.005, Election Code, is amended by adding Subsection (f) to read as follows:

(f) All rules, temporary or permanent, shall be posted on the state party’s Internet website.

SECTION 9. Section 163.006(a), Election Code, is amended to read as follows:

(a) A rule on electoral affairs that is to become effective in a year in which the party will hold precinct conventions under this title must be filed with the secretary of state and posted on the party’s Internet website not later than the 30th day before the date the party convenes its earliest [of convening the] precinct conventions. The secretary of state may extend this deadline for good cause.

SECTION 10. Section 171.0221(b), Election Code, is amended to read as follows:

(b) The county chair shall prepare a document that shall be posted [sign] that states: “Pursuant to Section 171.0221, Election Code, [insert name of unopposed candidate for precinct chair], if otherwise eligible, shall be declared elected to the office of precinct chair at the time of the local canvass.” The county chair or entity contracted to hold the elections shall distribute copies of the document [sign] to the presiding judge of the election precinct with the other election supplies. An election officer shall post the document [sign] in one or more locations in the polling place where it can be read by persons waiting to vote.

SECTION 11. Sections 171.024(a), (b), and (e), Election Code, are amended to read as follows:

(a) The county executive committee shall fill by appointment any vacancy on the committee. The state executive committee may by rule adopt procedures for filling vacancies.

(b) The state executive committee shall adopt rules regarding how many members of the county executive committee constitute a quorum for the purpose of [Except as provided by Subsection (c), a majority of the committee’s membership must participate in] filling a vacancy. To be elected, a person must receive a favorable vote of a majority of the members voting.

(e) After a vacancy is filled, the county chair shall promptly deliver written or electronic notice of the replacement member’s name and address to the state chair and to the county clerk.

SECTION 12. Section 174.021, Election Code, is amended to read as follows:

Sec. 174.021. SELECTION OF DELEGATES TO COUNTY AND SENATORIAL DISTRICT CONVENTIONS.

(a) The delegates to a political party’s county and senatorial district conventions held under this chapter shall be selected in accordance with party rules at precinct conventions held as provided by this subchapter.

(b) A political party may by rule allow a county to hold precinct conventions before the county convention on the same day and at the same place as the county convention. The rule may modify other provisions of this subchapter as necessary for the county to hold precinct conventions as provided by this subsection.

SECTION 13. Sections 174.022(a), (c), and (d), Election Code, are amended to read as follows:

(a) The precinct conventions may be held at a time and place as determined by rules adopted by the state executive committee of a political party [in the regular county election precincts on:

[(1) general primary election day; and
[(2) a date determined by the county executive committee that occurs not later than the fifth day after the date of the general primary election].

(c) If [precinct] conventions are held on general primary election day, the hour set for convening the conventions may not be earlier than 7 p.m. or later than 9 p.m., but a convention may not convene until the last voter has voted at the precinct polling place. If [precinct] conventions are held on a day other than general primary election day, the county executive committee shall set the hour for convening or a time frame in which the conventions must convene.

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(d) The place selected for a [precinct] convention must meet the same requirements for access by the elderly and persons with physical disabilities as a polling place under Section 43.034(a).

SECTION 14. Sections 174.023(a) and (b), Election Code, are amended to read as follows:

(a) The county chair shall post a notice of the date, hour, and place for convening each [precinct] convention on the county or state party's Internet website or other Internet location easily found through a search engine. If the county party does not maintain an Internet website, the chair shall post the notice on the county commissioner's bulletin board [used for posting notice of meetings of the commissioners] council. The notice must remain posted continuously for the 10 days immediately preceding the date of the convention.

(b) Not later than the 10th day before the date of the precinct conventions, the county chair shall deliver to the county clerk written notice either on paper or in electronic form of the date, hour, and place for convening each precinct convention.

SECTION 15. Sections 174.025(a), (c), (d), and (e), Election Code, are amended to read as follows:

(a) The state executive committee of a political party may adopt a rule requiring the precinct chair to be the permanent chair of the precinct convention unless the precinct chair is absent or declines the position. If a rule is not adopted under this subsection, the precinct chair is the temporary chair of the precinct convention held under this subchapter.

(c) Before conducting business, the precinct [permanent] chair shall prepare a list containing the name and residence address of each person who is admitted to participate in the convention.

(d) The precinct [temporary] chair shall call the convention to order.

(e) The convention shall select a convention chair, if the precinct chair is not the permanent chair, and a convention secretary. The convention may select any other officers considered necessary to conduct the convention's business.

SECTION 16. Section 174.026, Election Code, is amended to read as follows:

Sec. 174.026. CONVENTION BUSINESS. After the convention is organized, the convention shall select its delegates to the subsequent [county or senatorial district] convention and conduct any other convention business.

SECTION 17. Section 174.027, Election Code, is amended by amending Subsection (d) and adding Subsection (g) to read as follows:

(d) The county chair shall retain the copies of the lists stored in paper or electronic files until the end of the voting year in which they are received.

(g) An electronic submission to the county chair through a system created by party rule constitutes a complete delivery under Subsection (c).

SECTION 18. Section 174.062, Election Code, is amended to read as follows:

Sec. 174.062. TYPE OF CONVENTION HELD. (a) A party may adopt rules for holding conventions at any level before and including the state convention. If a state executive committee has not adopted other rules, conventions shall be held as follows:

(1) except [Except] as provided by Subdivision (3) [Subsection (e)], a county convention shall be held in a county if the county is not situated in more than one state senatorial district; [•]

(2) if [if] a county is situated in more than one state senatorial district, instead of a county convention a senatorial district convention shall be held in each part of the county that is situated in a different senatorial district, unless otherwise provided by party rule; or [•]

(3) if [if] the county executive committee for a political party determines that no suitable location for the county convention is available in the county, the county executive committee may apply to the state executive committee of that political party to issue an order permitting the county convention to be held at a location outside the county.
(b) An order under Subsection (a)(3) must be entered in the minutes of the state executive committee not later than the 30th day before the date the county convention is to be held.

SECTION 19. Section 174.063(a), Election Code, is amended to read as follows:

(a) Conventions shall be held on a day set by the state executive committee by rule. These rules shall allow the committees at each level of convention to set the hour and place for convening their conventions [the third Saturday after general primary election day. However, if that date occurs during Passover or on the day following Good Friday, the conventions shall be held on the next Saturday that does not occur during Passover or on the day following Good Friday].

SECTION 20. Sections 174.064(a) and (b), Election Code, are amended to read as follows:

(a) A notice of the hour and place for convening each county and senatorial district convention shall be posted electronically on the county or state party's Internet website or on the bulletin board used for posting notice of meetings of the commissioners court. The notice must remain posted continuously for the 10 days immediately preceding the date of the convention.

(b) Not later than the 10th day before the date of the county and senatorial district conventions, written notice either on paper or in electronic form of the hour and place for convening each convention shall be delivered to the county clerk.

SECTION 21. Section 174.065, Election Code, is amended to read as follows:

Sec. 174.065. ORGANIZING THE CONVENTION. (a) The state executive committee of a political party may adopt a rule requiring the county chair to be the permanent chair of the county convention or requiring the senatorial district executive committee member or chair of the district executive committee, as applicable, to be the permanent chair of the senatorial district convention, unless the person is absent or declines the position. If a rule is not adopted under this subsection, the county chair is the temporary chair of a county convention held under this subchapter. If a senatorial district is situated in more than one county, the senatorial district executive committee member from each county is the temporary chair of the senatorial district convention held in the territory that the committee member represents unless the state executive committee has adopted a rule under this subsection.

(b) If the person designated as chair by Subsection (a) is absent or declines the position, a delegate to the convention may act as temporary chair.

(c) The temporary chair shall call the convention to order and deliver the lists of delegates prepared under Section 174.027 to the convention.

(d) The convention shall select a convention chair, if the person listed in Subsection (a) is not the permanent chair, is not present, or has declined the position, and a convention secretary from among the delegates present. The convention may select any other officers considered necessary to conduct the convention's business.

SECTION 22. Section 174.067, Election Code, is amended to read as follows:

Sec. 174.067. STATE CONVENTION DELEGATES SERVE UNTIL NEXT PRIMARY ELECTION [FOR REMAINDER OF YEAR]. State convention delegates selected under this subchapter serve as the delegates for all state conventions held until the next general primary election date [during the remainder of the year in which they are selected].

SECTION 23. Section 174.068, Election Code, is amended to read as follows:

Sec. 174.068. VOTING AT CONVENTION. The state executive committee may adopt rules concerning voting procedures for any party convention. If the state executive committee fails to adopt rules:

(1) the delegates selected by a particular precinct convention who attend the county or senatorial district convention are entitled to cast a number of votes equal to as many delegates as that precinct convention was entitled to select; and

(2) a person may not vote a proxy at a county or senatorial district convention.
SECTION 24. Section 174.069, Election Code, is amended by adding Subsection (c) to read as follows:

(c) An electronic submission to the county chair through a system created by party rule constitutes a complete delivery under Subsection (b).

SECTION 25. Section 174.092(a), Election Code, is amended to read as follows:

(a) The biennial state convention shall be convened on a date selected by the state executive committee [any day in June or July].

SECTION 26. Section 174.093, Election Code, is amended to read as follows:

Sec. 174.093. NOTICE OF TIME AND PLACE. Before the date of the party's precinct conventions held under this chapter, the state chair shall post on the party's Internet website [deliver written notice of] the date, hour, and place for convening the biennial state convention [to the secretary of state, each county chair, and each temporary chair of a senatorial district convention].

SECTION 27. Section 174.094, Election Code, is amended to read as follows:

Sec. 174.094. ORGANIZING THE CONVENTION. (a) The state executive committee may adopt a rule requiring the state chair to be the permanent chair of the convention unless the state chair is absent or declines the position. If a rule is not adopted under this subsection, the state chair is the temporary chair of the biennial state convention.

(b) The [temporary] chair shall call the convention to order.

(c) The [temporary] chair shall prepare a list of the names and residence addresses of the delegates and any alternate delegates to the convention and shall deliver the list to the convention.

(d) The convention shall select a convention chair, if the state chair is not the permanent chair, and a convention secretary. The convention may select any other officers considered necessary to conduct the convention's business.

SECTION 28. Section 174.096, Election Code, is amended to read as follows:

Sec. 174.096. VOTING AT CONVENTION. The state executive committee shall adopt rules concerning the voting procedures for the convention. If the state executive committee fails to adopt rules:

1. The delegates selected by a particular county or senatorial district convention who attend the biennial state convention are entitled to cast a number of votes equal to as many delegates as that county or senatorial district convention was entitled to select; [c]

2. A person may not vote a proxy for delegates from more than one county or senatorial district; and

3. A person who votes a proxy for a delegate from a county may not do so for a delegate from a senatorial district and vice versa.

SECTION 29. Section 181.063, Election Code, is amended to read as follows:

Sec. 181.063. HOUR AND PLACE OF PRECINCT AND COUNTY CONVENTIONS. The hours and places for convening the county convention and precinct conventions held under this chapter shall be set as provided by Section 174.022[174.022(b)] for setting the hours and places of precinct conventions of a party holding a primary election.

SECTION 30. Section 181.066, Election Code, is amended to read as follows:

Sec. 181.066. ORGANIZING PRECINCT CONVENTION. (a) Unless the state executive committee has adopted rules providing that the precinct chair is the permanent chair, the [the] precinct chair is the temporary chair of a precinct convention held under this chapter. If the precinct chair is absent or declines the position, a participant may act as a temporary chair.

(b) Before conducting business, the precinct chair or temporary chair shall prepare a list containing the name and residence address of each person who is admitted to participate in the convention. In preparing the list, the chair shall use information from preregistration if the party has adopted a preregistration process under Section 162.017.

(c) The precinct chair or temporary chair shall call the convention to order.
(d) The convention shall select a convention chair if a temporary chair is acting as chair. The convention may select any other officers considered necessary to conduct the convention’s business.

SECTION 31. Section 181.067, Election Code, is amended by adding Subsection (d) to read as follows:

(d) An electronic submission to the county chair through a system created by party rule constitutes a complete delivery under Subsection (b).

SECTION 32. Sections 191.031(a) and (c), Election Code, are amended to read as follows:

(a) If a political party holding a primary election in a presidential election year desires to send delegates to a national presidential nominating convention of the party, the party shall select the delegates at a state convention convened on a date adopted by the state executive committee occurring in [any day in June of] the presidential election year. Before the date of the party’s precinct conventions held under Chapter 174, the party’s state executive committee shall choose the date, hour, and place for the state convention.

(c) Before the date of the party’s precinct conventions, the party’s state chair shall post on the party’s Internet website [deliver written] notice of the date, hour, and place for the state convention to:

[(1) the secretary of state;]
[(2) each county chair of the party; and]
[(3) the temporary chair of each senatorial district convention of the party].

SECTION 33. Sections 174.022(b) and 174.063(b) and (c), Election Code, are repealed.

SECTION 34. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed by the House on May 8, 2013: Yeas 146, Nays 1, 2 present, not voting; passed by the Senate on May 20, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.
Effective June 14, 2013.

CHAPTER 1055

H.B. No. 3103

AN ACT

relating to the administration of primary elections, the nomination of candidates by convention, and voting by certain military and overseas voters.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 172.022(b), Election Code, is amended to read as follows:

(b) Not later than the day before the last day of the filing period, the county chair shall post on the political party’s Internet website or in the location where a candidate files for a place on the ballot [bulletin board used for posting notice of meetings of the commissioners court] notice of the address at which the county chair or secretary will be available to receive applications on the last day of the filing period. If both the county chair and the secretary will be available, the notice must contain the address at which each will be available. Section 1.006 does not apply to this subsection.

SECTION 2. Sections 172.028(a) and (b), Election Code, are amended to read as follows:

(a) Except as provided by Subsection (c), the state chair shall certify to the secretary of state [in writing] for placement on the general primary election ballot the name of each candidate who files with the chair an application that complies with Section 172.021(b). The