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(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 notice of the date, hour, and place for the state convention:

[(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 Sections 174.022(b) and 174.063(b) and (c), Election Code, are repealed.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 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
secretary of state shall post on the secretary's Internet website that is viewable by the public the certified list.

(b) Not later than the 81st day before general primary election day, the state chair shall notify the county chair in each county in which the candidate's name is to appear on the ballot that the certification has been posted by the secretary of state.

SECTION 3. Section 172.029, Election Code, is amended to read as follows:

Sec. 172.029. SUBMISSION AND COMPILATION OF INFORMATION PERTAINING TO [LIST OF] CANDIDATES. (a) For each general primary election, the state chair and each county chair shall electronically submit the following information containing:

(1) the name of each candidate who files an application for a place on the ballot with the chair, including an application for the office of a political party;

(2) the name of each candidate whose application meets the requirements of Section 172.021 and is accepted by the chair, as the name is to appear on the ballot;

(3) the candidate's address as shown on the application; and

(4) any additional information required by the secretary of state.

(b) The secretary of state shall continuously maintain an online database of information submitted under this section. The database must be accessible by the county and precinct chairs of the party that submitted the information. Any changes in the party's county or precinct chairs shall be reported to the secretary of state. The secretary of state shall adopt rules to implement this section, including rules regarding the public availability of information submitted under this section. The candidates' names must be grouped on the list according to office.

(c) The secretary of state may by rule prescribe a deadline by which [not later than the 10th day after the date of the regular filing deadline for candidates' applications,] the state chair must deliver the chair's submission regarding a candidate to the secretary of state, and each county chair shall deliver a copy of the chair's submission regarding a candidate to the county clerk, the state chair, and the secretary of state when the chair accepts the application. The secretary of state may by rule prescribe a deadline for the delivery of a submission under this subsection.

(d) The secretary of state shall be notified if a candidate's name must be omitted from the list before delivery of the list, the candidate withdraws, dies, or is declared ineligible, or if the candidate's application is determined not to comply with the applicable requirements. The secretary of state shall adopt rules implementing this subsection.

(e) The secretary of state shall:

(1) archive and keep available for inspection a list of all candidates for whom information has been submitted under this section; and

(2) prescribe rules for submitting the list electronically and methodology for distribution to each county clerk and state chair when the list is delivered to the secretary of state, county clerk, and state chair, as applicable, not later than the seventh day after the date of the extended deadline.

SECTION 4. Sections 172.056(a) and (b), Election Code, are amended to read as follows:

(a) If the deadline for filing applications is extended, an electronic submission shall be made [containing the name of each candidate:]

(1) who files an application that complies with the applicable requirements during the extended filing period; and

(2) whose name is not submitted under Section 172.029.

(b) Notification shall be made as prescribed by Section 172.029 that additional names have been added during the extended period. [The list prepared under this section is subject to the requirements prescribed by Section 172.029 except that the list must be delivered to the secretary of state, county clerk, and state chair, as applicable, not later than the seventh day after the date of the extended deadline.]
SECTION 5. Section 172.082(e), Election Code, is amended to read as follows:

(e) The county chair shall post notice of the date, hour, and place of the drawing for at least 24 consecutive hours immediately before the drawing begins. The notice shall be posted on the bulletin board used for posting notice of meetings of the commissioners court. If the party maintains an Internet website, the party shall post the notice on the party’s website. All candidates who provide an e-mail address on their filing form shall be notified electronically.

SECTION 6. Section 172.084(e), Election Code, is amended to read as follows:

(e) The notice required by Subsection (d) shall be posted on the bulletin board used for posting notice of meetings of the commissioners court. If the party maintains an Internet website, the party shall post the notice on the party’s website. All candidates who provide an e-mail address on their filing form shall be notified electronically.

SECTION 7. Sections 172.118(a) and (d), Election Code, are amended to read as follows:

(a) Not later than the 20th day after the date the local canvass is completed, the county chair shall deliver written notice to the state chair and to the county clerk of the names of the persons elected as county chair and precinct chairs for the county. This notice may be given by electronic means or through an electronic submission system adopted by the state executive committee of the party.

(d) On request of the secretary of state, the state chair shall deliver to the secretary written notice of the names and addresses of the party’s county chairs. This notice may be given in electronic format as set out in rules adopted by the secretary of state.

SECTION 8. Section 172.119(b), Election Code, is amended to read as follows:

(b) The county chair shall deliver the county returns and retain a copy in the same manner as the county returns for a general election are delivered and retained by the county clerk except that the delivery shall be made to the state chair. The state executive committee may adopt by rule an electronic submission system for delivery of the county returns.

SECTION 9. Section 172.124, Election Code, is amended by adding Subsection (d) to read as follows:

(d) The secretary of state shall create and maintain an electronic system for submission of the report.

SECTION 10. Section 172.125(a), Election Code, is amended to read as follows:

(a) For a runoff primary election, the voter registrar shall make appropriate notations to indicate [enter on the list of registered voters a notation beside each voter’s name indicating] the preceding party primary for which the voter was accepted for voting, if any.

SECTION 11. Section 181.033(a), Election Code, is amended to read as follows:

(a) Except as provided by Subsection (b), an application for nomination by a convention must be filed not later than the regular deadline for candidates to file applications for a place on the general primary ballot [5 p.m. on January 3 preceding the convention].

SECTION 12. (a) The secretary of state shall conduct a study on the effects of changing the presidential primary election date. In conducting the study, the secretary shall consult with all political parties in this state that hold presidential primary elections.

(b) The secretary of state shall report the results of this study and make recommendations for any legislation to the 84th Legislature.

(c) This section expires June 1, 2015.

SECTION 13. Except as otherwise provided by this Act, 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 7, 2013: Yeas 143, Nays 0, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 3103 on May 24, 2013: Yeas 141, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 22, 2013: Yeas 31, Nays 0.
Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter B, Chapter 2502, Insurance Code, is amended by adding Section 2502.057 to read as follows:

Sec. 2502.057. CERTAIN COMPENSATORY PAYMENTS RELATED TO CERTAIN ELECTRIC ENERGY PROJECTS PERMITTED. (a) This section applies with respect to a utility project that is:

(1) designed to produce, generate, transmit, distribute, sell, or furnish electric energy; and

(2) valued on completion at more than $25 million.

(b) A payment for furnishing title evidence for the issuance of a title insurance policy related to a project described by Subsection (a) may be:

(1) a flat fee or fee calculated on an hourly basis that:

(A) is payable on the date the title evidence is furnished; and

(B) does not exceed $25,000; or

(2) a portion of the title insurance premium:

(A) based on the percentage established by the commissioner for payment by a title insurance company, title insurance agent, or direct operation for services performed by another title insurance company, title insurance agent, or direct operation; and

(B) payable on the date of the issuance of the policy for which the evidence is furnished.

(c) The payment must be:

(1) made by the proposed insured to the title insurance company, title insurance agent, or direct operation that furnishes the title evidence; and

(2) credited against the title insurance premium charged for the issuance of the title insurance policy for which the evidence is furnished.

(d) Nothing in this section may be construed to allow the payment of an amount in violation of the premium rates promulgated or the division of premium established by the commissioner.

(e) This section does not apply to a payment to a reinsurer for the assumption of reinsurance described by Subchapter G, Chapter 2551.

SECTION 2. Section 2551.305, Insurance Code, is amended by adding Subsection (e) to read as follows:

(e) Notwithstanding any other provision of this subchapter, a title insurance company may obtain reinsurance by a reinsurance treaty or other reinsurance agreement from an assuming insurer with a financial strength rating of B+ or better from the A. M. Best Company that meets the requirements of Subchapter C, Chapter 193, if the title insurance company has provided the department with an affidavit that:

(1) contains facts that demonstrate the title insurance company was unable after diligent effort to procure sufficient reinsurance from another title insurance company; and