

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 1067
By: Ashby (Schwertner)
State Affairs
4/29/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.H.B. 1067 amends current law relating to the omission of a deceased candidate from the ballot in certain elections.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 145.096(a), Election Code, to require a candidate's name, except as provided by Subsection (b) or Section 145.098(b), rather than except as provided by Subsection (b), to be placed on the ballot if the candidate meets certain criteria.

SECTION 2. Amends Section 145.098, Election Code, as follows:

Sec. 145.098. New heading: WITHDRAWAL OR DEATH OF CANDIDATE BEFORE BALLOTS ARE PREPARED. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Provides that if a candidate dies on or before the deadline for filing an application for a place on the ballot:

(1) the authority responsible for preparing the ballots are authorized to choose to omit the candidate from the ballot; and

(2) if the authority omits the candidate's name under Subdivision (1), the filing deadline for an application for a place on the ballot for the office sought by the candidate is extended until the fifth day after the filing deadline.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2019.