

BILL ANALYSIS

Senate Research Center
86R1713 GRM-F

H.B. 88
By: Swanson (Fallon)
State Affairs
5/7/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 88 would avoid the inefficiency and delay of re-drawing ballot order for candidates in a runoff by providing that the candidates' names would appear on the runoff ballot in the same relative order they appeared in the initial election.

The same would also apply in the rare instance of a tie election (for which Texas law requires a second election be conducted).

H.B. 88 amends current law relating to the order of candidate names on an election ballot.

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 2.002(d), Election Code, to require the order of the candidates' names on the ballot in an election requiring a plurality vote to be the relative order of names on the original ballot, rather than to be determined by a drawing in accordance with Section 52.094 (Names of Candidates).

SECTION 2. Amends Sections 52.094(a) and (c), Election Code, as follows:

(a) Requires the order of the candidates' names on the ballot of any resulting runoff election or election held to resolve a tie vote to be the relative order of names on the original election ballot.

(c) Deletes existing text requiring the notice of the date, hour, and place of the drawing, for a runoff election or an election held to resolve a tie vote, to remain posted for 24 hours immediately preceding the scheduled time of the drawing.

SECTION 3. Effective date: September 1, 2019.