

## **BILL ANALYSIS**

H.B. 1978  
By: Miller, Rick  
Elections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that it is clear from decades of legislative history that the Texas Legislature intended a candidate for a place on the ballot and the circulator of a petition for a place on the ballot to sign, swear, or execute an application or affidavit, as applicable. In light of this precedent, the parties assert that these documents should be signed, sworn, or executed before a notary public. H.B. 1978 seeks to impose this requirement.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1978 amends the Election Code to require a candidate's signed and sworn application for a place on the ballot to be signed and sworn to before a notary public and to require that the affidavit of the circulator of a petition for a place on the ballot included with each part of the petition be executed before a notary public.

### **EFFECTIVE DATE**

September 1, 2015.