

SUBJECT: Transferring statute on filing fees and petitions in the Election Code

COMMITTEE: Elections — favorable, without amendment

VOTE: 5 ayes — Cain, Clardy, Jetton, Schofield, Swanson

1 nay — Bucy

3 absent — J. González, Beckley, Fierro

WITNESSES: For — (*Registered, but did not testify*: Joanne Richards, Common Ground for Texans; Gerald Welty, Convention of States; Alan Vera, Harris County Republican Party Ballot Security Committee; Glen Maxey, Texas Democratic Party; and six individuals)

Against — Rene Perez and Kate Prather, Libertarian Party of Texas; Joe Burnes; Eric Guerra; Billy Pierce; (*Registered, but did not testify*: seven individuals)

On — Keith Ingram, Texas Secretary of State; (*Registered, but did not testify*: Christina Adkins, Texas Secretary of State; Henry Bohnert)

BACKGROUND: Election Code sec. 141.041(a) specifies that in order to be eligible to be placed on the ballot for the general election for state and county offices, a candidate nominated by convention for a political party with or without a state organization must pay a filing fee, or submit a petition in lieu of a fee, to the secretary of state.

Ch. 181, subch. B contains the statutes governing the application for nomination for political parties with a state organization that nominate by convention.

Some have raised concerns that the placement of sec. 141.041 in the Election Code creates an inadvertent loophole that allows certain candidates to avoid paying filing fees.

HB 1812
House Research Organization
page 2

DIGEST: HB 1812 would transfer statutes related to filing fees and petitions for candidates nominated by convention from Election Code sec. 141.041 to ch. 181, subch. B and make certain conforming changes.

The bill would take effect September 1, 2021.