

SUBJECT: Allowing deceased candidates to be removed from certain ballots

COMMITTEE: Elections — committee substitute recommended

VOTE: 9 ayes — Smith, Bucy, Burrows, Capriglione, DeAyala, Manuel, E. Morales, Swanson, Vo

0 nays

WITNESSES: For — (*Registered, but did not testify*: Trudy Hancock, Texas Association of Elections Administrators; Robert L. Green, Travis County Republican Party Election Integrity Committee for Legislation; Valerie DeBill; Elizabeth Geretz; Lucy Trainor)

Against — Ed Johnson (*Registered, but did not testify*: Roxy Williamson, Galveston Island Voter Education Resource and Services, Texas Grassroots Alliance and New Endeavor Texas; Alan Vera, Harris County Republican Party Ballot Security Committee; Emily Eby French, Texas Civil Rights Project; Carisa Lopez, Texas Freedom Network; and eight individuals)

On — Christina Adkins, Texas Secretary of State (*Registered, but did not testify*: Lori Gallagher, Texas First; Sergio Carranza; Karen Darby; Chris Womack)

BACKGROUND: Some have suggested that allowing elections officials and administrators to remove a deceased candidate from a ballot at any point before an election could reduce additional costs for some small counties.

DIGEST: CSHB 3046 would require that, if the deadline for filing an application for a place on a ballot was extended due to the death of a candidate, the authority responsible for preparing the ballot prepared a notice identifying the name of the deceased candidate, the office sought by the candidate, and the date of the new filing deadline.

The authority would be required to publish the notice on the website

maintained by the political subdivision holding the election or, if the political subdivision did not maintain a website, on the bulletin board used for posting meeting notices of the political subdivision's governing body.

If a candidate for an office of a city with a population of 100,000 or less died before the ballots were printed, the authority responsible for preparing the ballots could choose to omit the candidate from the ballot.

The bill would take effect September 1, 2023, and would apply only to an election ordered on or after the effective date of the bill.