

SUBJECT: Repealing provisions for declaring certain unopposed candidates as elected

COMMITTEE: Elections — favorable, without amendment

VOTE: 6 ayes — Smith, Burrows, Capriglione, DeAyala, Manuel, Swanson

1 nay — Bucy

2 absent — E. Morales, Vo

SENATE VOTE: On final passage (March 28) — 29-1

WITNESSES: For — (*Registered, but did not testify*: John Beckmeyer, RPT; Robert L. Green, Travis County Republican Party Election Integrity Committee for Legislation; Russell Hayter; Ken Moore; Lucy Trainor)

Against — Cynthia Van Maanen, Travis County Democratic Party; Rosemarie Clouston (*Registered, but did not testify* Chris Davis, Texas Association of Elections Administrators; Brenda Cruz, Texas Democratic Party; and six individuals)

On — Christina Adkins, Texas Secretary of State

BACKGROUND: Election Code sec. 2.056 establishes procedures for an unopposed candidate for office of state or county government. Under these provisions, a certifying authority shall declare a candidate elected to an office of the state or county government if, were the election held, only the votes cast for that candidate in the election for that office may be counted.

Election Code sec. 124.003(e) establishes that sec. 2.056, to the extent of any conflict, supersedes this section's provisions that allow any unopposed candidates to be listed separately under the heading "Uncontested Races" on a voting system ballot.

Some have suggested that repealing the ability to declare certain

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unopposed candidates for office as elected would improve election transparency and integrity.

DIGEST: SB 1089 would repeal Election Code secs. 2.056 and 124.003(e) and make conforming changes to relevant statute.

The bill would take effect September 1, 2023.