

BILL ANALYSIS

Senate Research Center

H.B. 2504
By: Springer (Hughes)
State Affairs
5/13/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2504 amends current law relating to candidates nominated by convention.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the secretary of state in SECTION 1 (Section 141.041, Election Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 141, Election Code, by adding Section 141.041, as follows:

Sec. 141.041. FILING FEE OR PETITION TO APPEAR ON BALLOT FOR GENERAL ELECTION FOR STATE AND COUNTY OFFICERS. (a) Requires a candidate who is nominated by convention under Chapter 181 (Party With State Organization) or 182 (Party Without State Organization), in addition to any other requirements, to be eligible to be placed on the ballot for the general election for state and county officers, to:

(1) pay a filing fee to the secretary of state (SOS) for a statewide or district office or the county judge for a county or precinct office; or

(2) submit to SOS for a statewide or district office or the county judge for a county or precinct office a petition in lieu of a filing fee that satisfies the requirements prescribed by Subsection (e) and Section 141.062 (Validity of Petition).

(b) Provides that the amount of the filing fee is the amount prescribed by Section 172.024 (Filing Fee) for a candidate for nomination for the same office in a general primary election.

(c) Requires a filing fee received by SOS to be deposited in the state treasury to the credit of the general revenue fund.

(d) Requires a filing fee received by the county judge to be deposited in the county treasury to the credit of the county general fund.

(e) Provides that the minimum number of signatures that are required to appear on the petition authorized by Subsection (a) is the number prescribed by Section 172.025 (Number of Petition Signatures Required) to appear on a petition of a candidate for nomination for the same office in a general primary election.

(f) Requires SOS to adopt rules as necessary to implement this section.

SECTION 2. Amends Section 181.005, Election Code, by adding Subsection (c), as follows:

(c) Entitles a political party to have the names of its nominees placed on the general election ballot, without qualifying under Subsection (a) (relating to providing that certain political parties are required to file certain lists with SOS not later than a certain date to be entitled to have the names of their nominees placed on the general election ballot) or (b) (relating to providing that a political party is entitled to have the names of its nominees placed on the ballot, without qualifying under Subsection (a), in each subsequent general election following a certain general election), if the party had a nominee for a statewide office who received a number of votes equal to at least two percent of the total number of votes received by all candidates for that office at least once in the five previous general elections.

SECTION 3. Effective date: September 1, 2019.