

BILL ANALYSIS

Senate Research Center
86R12829 ATP-D

H.B. 4129
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law is regarding the process by which an authority preparing a ballot may omit a candidate's name from the ballot on the request of the candidate is unclear. The ambiguity surrounding this process causes complications for county officials.

H.B. 4129 seeks to address this issue by revising the conditions under which the name of a withdrawing candidate may be omitted from the ballot.

H.B. 4129 amends current law relating to the omission from the ballot of a withdrawing candidate.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 145.098, Election Code, as follows:

Sec. 145.098. New heading: WITHDRAWAL OF CANDIDATE BEFORE CERTAIN EVENTS OCCUR. Makes nonsubstantive changes. Authorizes the authority responsible for preparing the ballots, if a candidate files a withdrawal request after the deadline prescribed by Section 145.092 (Deadline For Withdrawal), and the candidate complies with each requirement under Section 145.001 (Method For Withdrawal as Candidate) except that the candidate's filing to withdraw is untimely, to choose to omit the candidate from the ballot if at the time the candidate files the withdrawal request, the ballots have not been prepared and if using a voting system to which Chapter 129 (Direct Recording Electronic Voting Machines) applies, public notice of the test of logic and accuracy has not been published.

SECTION 2. Effective date: September 1, 2019.