

## **BILL ANALYSIS**

Senate Research Center  
88R20462 TSS-D

C.S.S.B. 1705  
By: Middleton  
State Affairs  
4/4/2023  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

There are concerns that the use of conventions by third parties to pick their nominees robs voters of the important campaigns necessary to thoroughly vet political candidates.

S.B. 1705 seeks to address this issue by requiring all candidates for office to participate in a primary election to decide their party's nominees.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 1705 amends current law relating to nominations by primary election by certain political parties.

### **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 172.001, Election Code, as follows:

Sec. 172.001. NOMINATING BY PRIMARY ELECTION REQUIRED. Requires a political party's nominees in the general election for offices of state and county government and the United States Congress, except as otherwise provided by this code, to be nominated by primary election, held as provided by this code, if the party's nominee for a statewide office in any of the five preceding general elections for that office received two percent or more of the total number of votes received by all candidates for that office in the election. Deletes existing text requiring a political party's nominees in the general election for offices of state and county government and the United States Congress, except as otherwise provided by this code, to be nominated by primary election, held as provided by this code, if the party's nominee for governor in the most recent gubernatorial general election received 20 percent or more of the total number of votes received by all candidates for governor in that election.

SECTION 2. Amends Section 181.003, Election Code, as follows:

Sec. 181.003. NOMINATION BY CONVENTION REQUIRED. Requires a political party to make nominations for the general election for state and county officers by convention as provided by Chapter 181 (Party With State Organization), if the party is not required, rather than is not required or authorized, to nominate by primary election.

SECTION 3. Repealers: Sections 172.002 (Nominating by Primary Election Authorized) and 181.002 (Nominating by Convention Authorized), Election Code.

SECTION 4. Makes application of this Act prospective January 1, 2024.

SECTION 5. Effective date: upon passage or September 1, 2023.