

BILL ANALYSIS

Senate Research Center
80R6993 JRJ-D

S.B. 1843
By: West, Royce
State Affairs
3/21/2007
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As many states move to set their primary at an earlier date, Texas' role stands to be diminished in the presidential primary process. Currently, the presidential primary in Texas is held on the first Tuesday in March.

As proposed, S.B. 1843 changes the dates for the general primary election, the runoff primary election, and the presidential primary elections. The bill also changes filing procedures related to those elections.

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 Sections 41.007(a), (b), and (c), Election Code, as follows:

- (a) Provides that the general primary election date is the first Tuesday in February, rather than March, in each even-numbered year.
- (b) Provides that the runoff primary election date is the first Tuesday in March, rather than April, following the general primary election.
- (c) Provides that the presidential primary election date is the first Tuesday in February, rather than March, in each presidential election year.

SECTION 2. Amends Section 141.031, Election Code, to require a candidate's application for a place on the ballot that is required by this code to include a statement that the candidate is aware of the provision of Section 65 (Terms of Office; Automatic Resignation), Article XVI, Texas Constitution.

SECTION 3. Amends Section 162.003, Election Code, as follows:

- Sec. 162.003. AFFILIATION BY VOTING IN PRIMARY. (a) Creates this subsection from existing text.
- (b) Provides that an affiliation under Subsection (a)(2) applies to the voting year in which the primary election is held.

SECTION 4. Amends Section 172.023(a), Election Code, to require an application for a place on the general primary election ballot to be filed not later than 6 p.m. on the 65th day before the general primary election day, rather than on January 2 in the primary election year, unless the filing deadline is extended under Subchapter C.

SECTION 5. Amends Section 173.010, Election Code, to require the secretary of state, during October, rather than November, preceding each primary election year, to deliver to the state chair and each county chair of each political party holding a primary election a current set of the rules adopted under this subchapter.

SECTION 6. Amends Section 181.0041, Election Code, to require a political party that intends to make nominations under this chapter for the general election for state and county officers to register with the secretary of state, in the manner prescribed by the secretary, not later than the regular filing deadline for candidates in the general primary election, rather than January 2 of the election year.

SECTION 7. Amends Section 181.033(a), Election Code, to require an application for nomination by a convention, except as provided by Subsection (b), to be filed not later than the regular filing deadline for candidates in the general primary election, rather than 5 p.m. on January 2 preceding the convention.

SECTION 8. Amends Sections 181.061(b) and (c), Election Code, as follows:

(b) Requires a party nominating by convention to make its nominations for offices of districts situated in more than one county at district conventions held on the second Saturday after general primary election day, rather than on the second Tuesday in March. Makes a conforming change.

(c) Makes conforming changes.

SECTION 9. Amends Section 182.005, Election Code, to make conforming changes.

SECTION 10. Provides that the term of a person who is serving as a county or precinct chair of a political party on the effective date of this Act ends on the 20th day after the second Tuesday in March 2008.

SECTION 11. Effective date: September 1, 2007.