

By: Klick

H.B. No. 2127

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of presidential and vice presidential candidates to be placed on the ballot.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 192.031(a), Election Code, is amended to read as follows:

(a) A political party is entitled to have the names of its nominees for president and vice-president of the United States placed on the ballot in a presidential general election if:

(1) the nominees possess the qualifications for those offices prescribed by federal law;

(2) the party's state chair signs a written certification ~~[of]~~:

(A) of the names of the party's nominees for president and vice-president; ~~[and]~~

(B) of the names and residence addresses of presidential elector candidates nominated by the party, in a number equal to the number of presidential electors that federal law allocates to this state; and

(C) that the party's nominees possess the qualifications for those offices prescribed by federal law;

(3) the party's state chair delivers the written certification with complete copies of the nominees' applications for a place on the ballot to the secretary of state before the later

1 of:

2 (A) 5 p.m. of the 70th day before presidential
3 election day; or

4 (B) 5 p.m. of the first business day after the
5 date of final adjournment of the party's national presidential
6 nominating convention; and

7 (4) the party is:

8 (A) required or authorized by Subchapter A of
9 Chapter 172 to make its nominations by primary election; or

10 (B) entitled to have the names of its nominees
11 placed on the general election ballot under Chapter 181.

12 SECTION 2. Section 192.033(c), Election Code, is amended to
13 read as follows:

14 (c) A candidate's name may not be certified if, before
15 delivering the certification, the secretary of state:

16 (1) learns that the name is to be omitted from the
17 ballot under Subchapter C; or

18 (2) determines, for a candidate nominated by a
19 political party, the party has failed to submit a complete copy of
20 the candidate's application for a place on the ballot or has
21 incorrectly certified the candidate as possessing the
22 qualifications prescribed by federal law for the office sought.

23 SECTION 3. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2015.