

CHAPTER 83

H.B. No. 564

AN ACT

relating to write-in candidacy in certain water district elections.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter A, Chapter 50, Water Code, is amended by adding Section 50.004 to read as follows:

Sec. 50.004. WRITE-IN VOTING IN CERTAIN DISTRICTS. (a) In a general election for board members under Chapter 51, 52, 53, or 54 of this code, a write-in vote may not be counted unless the name written in appears on the list of write-in candidates.

(b) To be entitled to a place on the list of write-in candidates, a candidate must make a declaration of write-in candidacy.

(c) A declaration of write-in candidacy must be filed with the authority with whom an application for a place on the ballot is required to be filed in the election.

(d) A declaration of write-in candidacy must be filed not later than 5 p.m. of the 30th day before election day. However, if a candidate whose name is to appear on the ballot dies or is declared ineligible after the 33rd day before election day, a declaration of write-in candidacy for the office sought by the deceased or ineligible candidate may be filed not later than 5 p.m. of the 27th day before election day.

(e) Subchapter B, Chapter 146, Election Code, applies to write-in voting in a general election for board members except to the extent of a conflict with this section.

(f) The secretary of state shall adopt the rules necessary to implement this section.

SECTION 2. This Act takes effect September 1, 1993.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on March 16, 1993, by a non-record vote; the House concurred in Senate amendments to H.B. No. 564 on April 26, 1993, by a non-record vote; passed by the Senate, with amendments, on April 21, 1993, by a viva-voce vote.

Approved May 4, 1993.

Effective Sept. 1, 1993.