

CHAPTER 497

H.B. No. 2364

AN ACT

relating to the form of the ballot in certain elections.

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

SECTION 1. Section 52.068(a), Election Code, is amended to read as follows:

(a) If no candidate's name is to appear on the ballot for a particular office to be voted on at an ~~the~~ election in which write-in votes for the office are permitted by law, the

authority responsible for having the ballot prepared shall have the office title printed on the ballot and ~~[if write-in votes are permitted by law in the election,]~~ shall provide a space for a write-in vote as required by this code. *However, in an election in which write-in votes may be counted only for names appearing on a list of write-in candidates, if no candidate's name is to appear on the ballot or the list of write-in candidates for a particular office, the office title is not printed on the ballot.*

SECTION 2. Section 52.070(d), Election Code, is amended to read as follows:

(d) If more than one candidate is to be elected in any race on the ballot, "Vote for *none, one, two, . . . or —*" (in the numerical sequence appropriate for ~~and~~ the number of candidates to be elected) shall be printed immediately below each office title appearing on the ballot.

SECTION 3. Subchapter C, Chapter 124, Election Code, is amended by adding Section 124.0621 to read as follows:

*Sec. 124.0621. NO WRITE-IN SPACE PROVIDED ON CERTAIN BALLOTS. If no candidate's name is to appear for a particular office on the list of write-in candidates in an election in which write-in votes may be counted only for names appearing on the list, a write-in space is not required for that office on an electronic system ballot on which a voter indicates a vote by making a mark on the ballot.*

SECTION 4. This Act takes effect September 1, 1987.

SECTION 5. 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 May 22, 1987, by a non-record vote. Passed by the Senate on May 29, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 17, 1987.

Effective Sept. 1, 1987.