

CHAPTER 90

S.B. No. 495

AN ACT

relating to petitions filed in connection with certain candidates' applications for a place on the ballot and to changes in filing fees.

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

SECTION 1. Section 172.021, Election Code, as amended, is amended by adding Subsection (e) to read as follows:

(e) A candidate for an office specified by Section 172.024(a)(8), (10), or (12), or for justice of the peace in a county with a population of more than 2,400,000, who chooses to pay the filing fee must also accompany the application with a petition that complies with the requirements prescribed for the petition authorized by Subsection (b), except that the minimum number of signatures that must appear on the petition required by this subsection is 250. If the candidate chooses to file the petition authorized by Subsection (b) instead of the filing fee, the minimum number of signatures required for that petition is increased by 250. Signatures on a petition filed under this subsection or Subsection (b) by a candidate covered by this subsection may not be obtained on the grounds of a county courthouse or courthouse annex.

SECTION 2. Subsection (a), Section 172.024, Election Code, is amended to read as follows:

(a) The filing fee for a candidate for nomination in the general primary election is as follows:

(1) United States senator	\$4,000	[\$2,000]
(2) office [Office] elected statewide, except United States senator	3,000	[1,500]
(3) United States representative	2,500	[1,500]
(4) state [State] senator	1,000	[750]
(5) state [State] representative	600	[400]
(6) member [Member], State Board of Education	250	
(7) chief [Chief] justice or [associate] justice, court of appeals, other than a justice specified by Subdivision (8)	1,500	[750]
(8) chief justice or justice of a court of appeals that serves a court of appeals district in which a county with a population of more than 2,400,000 is wholly or partly situated	2,000	
(9) district [(8) District] judge or judge specified by Section 52.092(d) for which this schedule does not otherwise prescribe a fee	1,200	[700]
(10) district or criminal district judge of a court in a judicial district wholly contained in a county with a population of more than 2,400,000	2,000	
(11) judge [(9) Judge], statutory county court, other than a judge specified by Subdivision (12)	1,200	[700]
(12) judge of a statutory county court in a county with a population of more than 2,400,000	2,000	
(13) district [(10) District] attorney, criminal district attorney, or county attorney performing the duties of a district attorney	1,000	[600]
(14) county [(11) County] commissioner or judge, constitutional county court:		
(A) county with a population [County] of 200,000 or more [population]	1,000	[600]
(B) county with a population [County] of under 200,000 [population]	600	[300]

Ch. 90, § 2

70th LEGISLATURE—REGULAR SESSION

(15) justice [~~(12) Justice~~] of the peace or constable:

(A) county with a population [County] of 200,000 or more
[population] 800 [500]

(B) county with a population [County] of under 200,000
[population] 300 [200]

(16) county [~~(13) County~~] surveyor, inspector of hides and animals, or
public weigher 50

(17) office [~~(14) Office~~] of the county government for which this
schedule does not otherwise prescribe a fee 600 [300]

SECTION 3. Sections 172.025, 172.026, and 172.027, Election Code, are amended to read as follows:

Sec. 172.025. NUMBER OF PETITION SIGNATURES REQUIRED. The minimum number of signatures that must appear on the petition authorized by Section 172.021(b) is:

- (1) 5,000, for a statewide office; or
- (2) for a district, county, or precinct office, the lesser of:
 - (A) 500; or
 - (B) two percent of the total vote [~~number of votes~~] received in the district, county, or precinct, as applicable, by the political party's nominee for governor in the most recent gubernatorial general election, unless that number is under 25, in which case the required number of signatures is the lesser of:
 - (i) 25; or
 - (ii) 10 percent of that total vote [~~such votes~~].

Sec. 172.026. RESTRICTION ON PETITION SIGNER. On signing a petition to be filed under [~~authorized by~~] Section 172.021, the signer becomes ineligible to vote in a primary election or participate in a convention of another political party during the voting year in which the primary election is held.

Sec. 172.027. STATEMENT ON PETITION. The following statement must appear at the top of each page of a petition to be filed under [~~authorized by~~] Section 172.021: "I know that the purpose of this petition is to entitle (*insert candidate's name*) to have his name placed on the ballot for the office of (*insert office title, including any place number or other distinguishing number*) for the (*insert political party's name*) primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held."

SECTION 4. (a) In addition to the new changes in law made by this Act in regard to the filing of petitions in connection with certain candidates' applications for a place on the ballot, this Act conforms the provisions of the Election Code relating to that subject to the related changes in law made by Chapter 979, Acts of the 69th Legislature, Regular Session, 1985, and by Section 9, Chapter 966, Acts of the 69th Legislature, Regular Session, 1985.

(b) Chapter 979, Acts of the 69th Legislature, Regular Session, 1985, and Section 9, Chapter 966, Acts of the 69th Legislature, Regular Session, 1985, are repealed.

SECTION 5. This Act takes effect September 1, 1987.

SECTION 6. 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 the Senate on April 2, 1987, by the following vote: Yeas 31, Nays 0. Passed the House on April 30, 1987, by a non-record vote.

Approved May 14, 1987.

Effective Sept. 1, 1987.