

1-1 By: Hughes S.B. No. 1033
1-2 (In the Senate - Filed January 31, 2025; February 24, 2025,
1-3 read first time and referred to Committee on State Affairs;
1-4 March 17, 2025, reported favorably by the following vote: Yeas 11,
1-5 Nays 0; March 17, 2025, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the withdrawal of a candidate in a runoff primary
1-22 election.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 2.023(a), Election Code, is amended to
1-25 read as follows:

1-26 (a) Except as provided by Subsections (b) and (c) or Section
1-27 172.059, the candidates in a runoff election are the candidates who
1-28 receive the highest and second highest number of votes in the main
1-29 election or who tie for the highest number of votes.

1-30 SECTION 2. Section 172.059, Election Code, is amended by
1-31 amending Subsections (a) and (c) and adding Subsection (d) to read
1-32 as follows:

1-33 (a) A candidate for nomination may not withdraw from the
1-34 runoff primary election after 5 p.m. of the fifth ~~[3rd]~~ day after
1-35 the last day on which the state canvass may be conducted for the
1-36 election under Section 172.120(b) ~~[172.120]~~.

1-37 (c) If a runoff candidate withdraws from the election on or
1-38 before 5 p.m. of the fifth day after the last day on which the state
1-39 canvass may be conducted for the election, the candidate who
1-40 received the third highest number of votes in the general primary
1-41 election is entitled to a place on the runoff ballot.

1-42 (d) If a runoff candidate withdraws after 5 p.m. of the
1-43 fifth day after the last day on which the state canvass may be
1-44 conducted for the election, the remaining candidate is the nominee
1-45 and the runoff election for that office is not held.

1-46 SECTION 3. The changes in law made by this Act apply to an
1-47 election ordered on or after the effective date of this Act. An
1-48 election ordered before the effective date of this Act is governed
1-49 by the law in effect when the election was ordered, and the former
1-50 law is continued in effect for that purpose.

1-51 SECTION 4. This Act takes effect September 1, 2025.

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