

Fair Oaks Ranch Information on Qualifying for Office

Section 3.02 of the CITY CHARTER identifies the Qualifications for Office as the following:

The Mayor and each Council Member shall:

1. Be a qualified voter in the City and State at the time of taking office;
2. Be a resident of the City;
3. Have resided continuously in the corporate limits of the City for 12 months immediately preceding the date of the election or or the date of appointment, as applicable;
4. Not be in violation of any provision in this Charter;
5. Satisfy any other eligibility requirements prescribed by law for the office for which they are a candidate.

Furthermore, Sub-chapter A, Sec 141.001 of the ELECTION CODE lists the following eligibility requirements:

(The information below is provided as a courtesy. Please refer to the Election Code Official Link for possible updates).

(A) To be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, a person must:

- (1) be a United States citizen;
- (2) be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;
- (3) have not been determined by a final judgment of a court exercising probate jurisdiction to be:
 - (a) totally mentally incapacitated; or
 - (b) partially mentally incapacitated without the right to vote;
- (4) have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;
- (5) have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:
 - (a) for a candidate whose name is to appear on a general primary election ballot, the date of the regular filing deadline for a candidate's application for a place on the ballot;
 - (b) for an independent candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot;
 - (c) for a write-in candidate, the date of the election at which the candidate's name is written in;
 - (d) for a party nominee who is nominated by any method other than by primary election, the date the nomination is made; and
 - (e) for an appointee to an office, the date the appointment is made;

- (6) on the date described by Subdivision (5), be registered to vote in the territory from which the office is elected; and
 - (7) satisfy any other eligibility requirements prescribed by law for the office.
- (a-1) For purposes of satisfying the continuous residency requirement of Subsection (a)(5), a person who claims an intent to return to a residence after a temporary absence may establish that intent only if the person:
- (1) has made a reasonable and substantive attempt to effectuate that intent; and
 - (2) has a legal right and the practical ability to return to the residence.
- (a-2) Subsection (a-1) does not apply to a person displaced from the person's residence due to a declared local, state, or national disaster.
- (a-3) The authority with whom an application for a place on a general primary election ballot is filed under Section 172.022 shall, to the extent permitted by law, use Subsections (a) and (a-1) in determining whether a candidate meets the residency requirements for a public elective office.
- (b) (b) A statute outside this code supersedes Subsection (a) to the extent of any conflict.
 - (c) (c) Subsection (a) does not apply to an office for which the federal or state constitution or a statute outside this code prescribes exclusive eligibility requirements.
 - (d) (d) Subsection (a)(6) does not apply to a member of the governing body of a district created under Section 52(b)(1) or (2), Article III, or Section 59, Article XVI, Texas Constitution.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 614 (H.B. 417), Sec. 28, eff. September 1, 2007.

Acts 2015, 84th Leg., R.S., Ch. 504 (H.B. 484), Sec. 1, eff. September 1, 2015.

Acts 2019, 86th Leg., R.S., Ch. 1047 (H.B. 831), Sec. 1, eff. January 1, 2020.