

March 28, 2020

Gov. Greg Abbott
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428

Dear Governor Abbott:

Thank you for the restraint you have demonstrated thus far in dealing with the unprecedented challenge of addressing a global health crisis. I have confidence that you will continue to reasonably balance public health and safety with your duty to uphold the Texas Constitution.

Today, I write to bring to your attention a serious matter that if not addressed will have a far-reaching impact on the rights of all Texans to meaningfully participate in the political process.

Section 181.061 of the Texas Elections Code requires that all political parties other than the Republican Party and the Democratic Party must make its nominations for statewide and national offices at a convention prescribed to be held on the second Saturday in April of the election year; this year, April 18.

Given the current global pandemic, primary elections and state conventions around our nation have already been postponed and rescheduled as individuals and families focus on health and safety, and communities focus on limiting the spread of infectious disease.

In Texas, the law setting the nominating convention date provides no flexibility. While I would entertain a meeting with you to discuss the inequity of this law and how it further serves to entrench the vested interests of a two-party duopoly, the fact is that a shelter in place order has been issued for Hidalgo County, the locale of the Libertarian Party convention. The Hidalgo order joins similar orders from across Texas that have severely limited the movement of individuals, restricted business activity and impacted regular schedules for all Texans. While you may share my concern over the constitutionality and long-term economic impact of government mandated shutdowns, as a practical matter, even if the individual orders are lifted prior to April 18, congregating in large groups may still not be safe. Moreover, given the unprecedented, unforeseen and sudden business interruption, the Libertarian Party of Texas, along with the Green Party and others have been unable to adequately plan, prepare for, and organize their convention activities.

I call on you to waive the specific date requirement under 181.061(a) of the Texas Elections Code to ensure that the voters of Texas have a reasonable opportunity to participate in this important political process. Thank you for your attention to this important matter.

Sincerely,



Brian Elliott
Candidate for Texas State House – District 136