

Eligibility Requirements for Public Office [EC §141.001(a)]:

To be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, a candidate 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;
- 3) Not have been determined by a final judgement of a court exercising probate jurisdiction to be:
 - A) Totally mentally incapacitated; or
 - B) Partially mentally incapacitated without the right to vote;
- 4) Not have 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 city or in the district or ward, as applicable, for six months immediately preceding the deadline for filing an application for a place on the ballot (for a write-in candidate, preceding the date of the election);
- 6) Be a registered voter in the territory from which the office is elected as of the date of the filing deadline for a candidate's place on the ballot (for a write-in candidate, as of the date of the election); and
- 7) Satisfy any other eligibility requirements prescribed by law for the office.

City Charter, Section 3.04 – Qualifications of Elected Officers:

Each member of the City Council (including the Mayor) shall be a resident of the City of Vidor, shall be a qualified voter of the State of Texas, shall have been such a resident of the City of Vidor for a period of not less than one (1) year immediately preceding his/her election, and shall not be indebted to the City of Vidor. Each Councilmember must be a resident of the ward for which he/she files.

Summary of Nepotism Law (Chapter 573, Government Code):

No officer may appoint, or vote for or confirm the appointment or employment of any person related within the second degree by affinity (marriage) or the third degree by consanguinity (blood) to himself, or to any other member of the governing body or court on which he serves when the compensation of that person is to be paid out of public funds or fees of office. However, nothing in the law prevents the appointment, voting for, or confirmation of anyone who has been continuously employed in the office or employment for the following period prior to the election or appointment of the officer or member related to the employee in the prohibited degree: six months, if the officer or member is elected at the general election for state and county officers.

No candidate may take action to influence an employee of the office to which the candidate is seeking election or an employee or officer of the governmental body to which the candidate is seeking election regarding the appointment or employment of a person related to the candidate in a prohibited degree as noted above. This prohibition does not apply to a candidate's actions with respect to a bona fide class or category of employees or prospective employees.

Examples of relatives within the third degree of consanguinity are as follows:

- (1) First degree: parent, child;

- (2) Second degree: brother, sister, grandparent, grandchild;
- (3) Third degree: great-grandparent, great-grandchild, uncle, aunt, nephew, niece.

These include relatives by blood, half-blood, and legal adoption. Examples of relatives within the second degree of affinity are as follows:

- (1) First degree: spouse, spouse's parent, son-in-law, daughter-in-law;
- (2) Second degree: brother's spouse, sister's spouse, spouse's brother, spouse's sister, spouse's grandparent.

Persons related by affinity (marriage) include spouses of relatives by consanguinity, and, if married, the spouse and the spouse's relatives by consanguinity. These examples are not all inclusive.