

1-1 By: Springer S.B. No. 1807  
 1-2 (In the Senate - Filed March 7, 2023; March 20, 2023, read  
 1-3 first time and referred to Committee on State Affairs;  
 1-4 April 5, 2023, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 8, Nays 3; April 5, 2023,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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		X		

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 1807 By: Hughes

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to the unlawful altering of election procedures; providing  
 1-24 a civil penalty.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 276.019, Election Code, is amended to  
 1-27 read as follows:

1-28 Sec. 276.019. UNLAWFUL ALTERING OF ELECTION PROCEDURES;  
 1-29 CIVIL PENALTY. (a) A public official or election official may not  
 1-30 create, alter, modify, waive, or suspend any election standard,  
 1-31 practice, or procedure mandated by law or rule in a manner not  
 1-32 expressly authorized by this code.

1-33 (b) After the secretary of state receives or discovers  
 1-34 information indicating that a public official or election official  
 1-35 has violated Subsection (a), the secretary of state shall  
 1-36 investigate the standard, practice, or procedure appearing to have  
 1-37 violated Subsection (a). If the secretary of state determines that  
 1-38 a violation of Subsection (a) has occurred, the secretary of state  
 1-39 shall send to the public official or election official determined  
 1-40 to have violated that subsection:

1-41 (1) notification of the secretary of state's  
 1-42 determination;

1-43 (2) a demand that the official immediately cease the  
 1-44 implementation or enforcement of the standard, practice, or  
 1-45 procedure determined to have violated Subsection (a); and

1-46 (3) instructions for the specific actions necessary  
 1-47 for compliance with Subsection (a).

1-48 (c) If, more than two days after receiving notification  
 1-49 under Subsection (b), a public official or election official does  
 1-50 not comply with Subsection (a) as instructed under Subsection  
 1-51 (b)(3), the secretary of state shall:

1-52 (1) notify the attorney general that the official may  
 1-53 be subject to a civil penalty under Subsection (d); and

1-54 (2) forward to the attorney general any documents or  
 1-55 information received, discovered, or created during the secretary  
 1-56 of state's investigation under Subsection (b).

1-57 (d) A public official or election official is liable to this  
 1-58 state for a civil penalty for each day that the official fails or  
 1-59 refuses to take an affirmative action to comply with Subsection (a)  
 1-60 in an amount not to exceed:

2-1 (1) \$1,000 per day for each day after the second day  
2-2 and on or before the seventh day after receiving a notice under  
2-3 Subsection (b); or

2-4 (2) \$5,000 per day for each day after the seventh day  
2-5 after receiving a notice under Subsection (b).

2-6 (e) The attorney general may bring an action to recover a  
2-7 civil penalty imposed under Subsection (d).

2-8 (f) A civil penalty collected by the attorney general under  
2-9 this section shall be deposited in the state treasury to the credit  
2-10 of the general revenue fund.

2-11 (g) Documents or information received, discovered, or  
2-12 created during the secretary of state's investigation under  
2-13 Subsection (b) are confidential and not subject to disclosure under  
2-14 Chapter 552, Government Code, unless the secretary of state or  
2-15 attorney general has determined that a complaint submitted to the  
2-16 secretary of state under this section will not be further  
2-17 investigated or the subject of any further proceedings or actions.

2-18 SECTION 2. This Act takes effect September 1, 2023.

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