

By: Bettencourt

S.B. No. 1907

A BILL TO BE ENTITLED

AN ACT

relating to preparing and delivering precinct election returns;  
increasing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 65.014(e), Election Code, is amended to  
read as follows:

(e) An offense under Subsection (d) is a Class A [~~B~~]  
misdemeanor.

SECTION 2. Section 66.055, Election Code, is amended to  
read as follows:

Sec. 66.055. FAILURE TO DELIVER [~~JUDICIAL IMPOUNDMENT OF~~]  
ELECTION RECORDS. (a) If the precinct election records are not  
delivered by the deadline prescribed by Section 66.053(c):

(1) the secretary of state may supervise the  
activities necessary to complete the count, prepare the precinct  
returns, and distribute the records; or

(2) [~~7~~] on application by a member of the canvassing  
authority, a district judge shall order the precinct election  
records to be impounded.

(b) If the precinct election records are impounded under  
Subsection (a)(2), the [~~The~~] district judge shall supervise the  
activities necessary to complete the count, prepare the precinct  
returns, and distribute the records.

SECTION 3. The change in law made by this Act in amending

1 Section 65.014(e), Election Code, applies only to an offense  
2 committed on or after the effective date of this Act. An offense  
3 committed before the effective date of this Act is governed by the  
4 law in effect on the date the offense was committed, and the former  
5 law is continued in effect for that purpose. For purposes of this  
6 section, an offense was committed before the effective date of this  
7 Act if any element of the offense occurred before that date.

8 SECTION 4. This Act takes effect September 1, 2023.