

By: Dunnam

H.B. No. 4422

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the punishment for the fraudulent use or possession of  
3 identifying information related to voter registration or voter  
4 impersonation.

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

6 SECTION 1. Section 32.51(c), Penal Code, is amended to read  
7 as follows:

8 (c) An offense under this section is:

9 (1) a state jail felony if the number of items  
10 obtained, possessed, transferred, or used is less than five;

11 (2) a felony of the third degree if the number of items  
12 obtained, possessed, transferred, or used is five or more but less  
13 than 10 or if one or more items is obtained, possessed, transferred,  
14 or used by a person to obtain a voter registration certificate or  
15 used by a person to cast a vote;

16 (3) a felony of the second degree if the number of  
17 items obtained, possessed, transferred, or used is 10 or more but  
18 less than 50; or

19 (4) a felony of the first degree if the number of items  
20 obtained, possessed, transferred, or used is 50 or more.

21 SECTION 2. The change in law made by this Act applies only  
22 to an offense committed on or after the effective date of this Act.  
23 An offense committed before the effective date of this Act is  
24 governed by the law in effect when the offense was committed, and

1 the former law is continued in effect for that purpose. For  
2 purposes of this subsection, an offense was committed before the  
3 effective date of this Act if any element of the offense was  
4 committed before that date.

5 SECTION 3. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2009.