

## **BILL ANALYSIS**

Senate Research Center  
82R14718 DRH-F

H.B. 2449  
By: Aliseda et al. (Hegar)  
State Affairs  
5/18/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties contend that when conducting election fraud investigations relating to vote harvesting the investigating authority must find a certain number of ballots in the hand of a vote harvester at one time in order to charge the person with a certain offense, but that if the investigating authority finds the vote harvester with slightly fewer ballots for multiple days in a row, the investigating authority is unable to charge the vote harvester with such offense. H.B. 2449 seeks to address this issue by establishing provisions relating to unlawfully obtaining another person's ballot to be voted by mail.

H.B. 2449 amends current law relating to the illegal possession of another person's ballot to be voted by mail.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 86.006, Election Code, by adding Subsection (g-1) to authorize the conduct, when ballots or carrier envelopes are obtained in violation of this section pursuant to one scheme or continuing course of conduct, whether from the same or several sources, to be considered as one offense and the number of ballots or carrier envelopes aggregated in determining the grade of the offense.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2011.