

1 AN ACT

2 relating to the eligibility of certain persons who have received
3 deferred adjudication to vote.

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

5 SECTION 1. Section 11.002, Election Code, is amended to
6 read as follows:

7 Sec. 11.002. QUALIFIED VOTER. (a) In this code,
8 "qualified voter" means a person who:

9 (1) is 18 years of age or older;

10 (2) is a United States citizen;

11 (3) has not been determined by a final judgment of a
12 court exercising probate jurisdiction to be:

13 (A) totally mentally incapacitated; or

14 (B) partially mentally incapacitated without the
15 right to vote;

16 (4) has not been finally convicted of a felony or, if
17 so convicted, has:

18 (A) fully discharged the person's sentence,
19 including any term of incarceration, parole, or supervision, or
20 completed a period of probation ordered by any court; or

21 (B) been pardoned or otherwise released from the
22 resulting disability to vote;

23 (5) is a resident of this state; and

24 (6) is a registered voter.

1 (b) For purposes of Subsection (a)(4), a person is not
2 considered to have been finally convicted of an offense for which
3 the criminal proceedings are deferred without an adjudication of
4 guilt.

5 SECTION 2. Section 13.001, Election Code, is amended by
6 adding Subsection (c) to read as follows:

7 (c) For purposes of Subsection (a)(4), a person is not
8 considered to have been finally convicted of an offense for which
9 the criminal proceedings are deferred without an adjudication of
10 guilt.

11 SECTION 3. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 1226 was passed by the House on May 5, 2011, by the following vote: Yeas 140, Nays 4, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1226 was passed by the Senate on May 24, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor