

By: Dutton

H.B. No. 1226

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

(1) is 18 years of age or older;

(2) is a United States citizen;

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

(A) totally mentally incapacitated; or

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

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

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

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

(5) is a resident of this state; and

(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.