

1-1 By: Dutton (Senate Sponsor - Ellis) H.B. No. 1226
1-2 (In the Senate - Received from the House May 6, 2011;
1-3 May 9, 2011, read first time and referred to Committee on State
1-4 Affairs; May 19, 2011, reported favorably by the following vote:
1-5 Yeas 6, Nays 1; May 19, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the eligibility of certain persons who have received
1-9 deferred adjudication to vote.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 11.002, Election Code, is amended to
1-12 read as follows:

1-13 Sec. 11.002. QUALIFIED VOTER. (a) In this code,
1-14 "qualified voter" means a person who:

1-15 (1) is 18 years of age or older;

1-16 (2) is a United States citizen;

1-17 (3) has not been determined by a final judgment of a
1-18 court exercising probate jurisdiction to be:

1-19 (A) totally mentally incapacitated; or

1-20 (B) partially mentally incapacitated without the
1-21 right to vote;

1-22 (4) has not been finally convicted of a felony or, if
1-23 so convicted, has:

1-24 (A) fully discharged the person's sentence,
1-25 including any term of incarceration, parole, or supervision, or
1-26 completed a period of probation ordered by any court; or

1-27 (B) been pardoned or otherwise released from the
1-28 resulting disability to vote;

1-29 (5) is a resident of this state; and

1-30 (6) is a registered voter.

1-31 (b) For purposes of Subsection (a)(4), a person is not
1-32 considered to have been finally convicted of an offense for which
1-33 the criminal proceedings are deferred without an adjudication of
1-34 guilt.

1-35 SECTION 2. Section 13.001, Election Code, is amended by
1-36 adding Subsection (c) to read as follows:

1-37 (c) For purposes of Subsection (a)(4), a person is not
1-38 considered to have been finally convicted of an offense for which
1-39 the criminal proceedings are deferred without an adjudication of
1-40 guilt.

1-41 SECTION 3. This Act takes effect immediately if it receives
1-42 a vote of two-thirds of all the members elected to each house, as
1-43 provided by Section 39, Article III, Texas Constitution. If this
1-44 Act does not receive the vote necessary for immediate effect, this
1-45 Act takes effect September 1, 2011.

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