

By: Pena

H.B. No. 2589

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the distribution and delivery of voter registration
3 applications by volunteer deputy registrars; providing criminal
4 penalties.

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

6 SECTION 1. Section 13.038, Election Code, is amended to
7 read as follows:

8 Sec. 13.038. POWERS GENERALLY; OFFENSE. (a) A volunteer
9 deputy registrar may distribute voter registration application
10 forms throughout the county and receive registration applications
11 submitted to the deputy in person.

12 (b) A volunteer deputy registrar commits an offense if the
13 volunteer deputy distributes a voter registration application form
14 to a person the volunteer deputy knows is ineligible to register to
15 vote under Section 13.001. An offense under this subsection is a
16 state jail felony.

17 SECTION 2. Section 13.043, Election Code, is amended to
18 read as follows:

19 Sec. 13.043. FAILURE TO CONDUCT APPOINTED DUTIES [~~DELIVER~~
20 ~~APPLICATION~~]. (a) A volunteer deputy registrar commits an offense
21 if the deputy fails to cause the proper and timely delivery of a
22 completed voter registration application as required by [~~comply~~
23 ~~with~~] Section 13.042.

24 (a-1) A volunteer deputy registrar commits an offense if the

1 volunteer deputy knowingly causes a voter registration application
2 containing false information to be delivered to the registrar.

3 (b) Except as provided by Subsection (c), an offense under
4 Subsection (a) [~~this section~~] is a Class C misdemeanor.

5 (c) An offense under Subsection (a) [~~this section~~] is a
6 Class A misdemeanor if the deputy's failure to comply is
7 intentional.

8 (d) An offense under Subsection (a-1) is a state jail
9 felony.

10 SECTION 3. The change in law made by this Act applies only
11 to an offense committed on or after the effective date of this Act.
12 An offense committed before the effective date of this Act is
13 governed by the law in effect when the offense was committed, and
14 the former law is continued in effect for that purpose. For purposes
15 of this section, an offense was committed before the effective date
16 of this Act if any element of the offense occurred before that date.

17 SECTION 4. This Act takes effect September 1, 2011.