

BILL ANALYSIS

S.B. 554
By: Campbell
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In the 2012 General Election, over 219,000 Texans voted by mail-in ballot. Mail-in ballots provide an inexpensive and convenient avenue to vote for those who travel, are elderly, disabled, or who have hectic schedules. However, mail-in ballots are also a point of weakness for election fraud.

Currently, the penalty for theft of a ballot or an official ballot envelope is a state jail felony punishable by 180 days to two years in jail and a fine of up to \$10,000.

S.B. 554 increases that penalty to a felony of the third degree, punishable by imprisonment for two to 10 years and a fine of up to \$10,000.

As proposed, S.B. 554 amends current law relating to the penalty for theft of an official ballot or official carrier envelope for an election.

RULEMAKING AUTHORITY

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

ANALYSIS

SECTION 1. Amends Section 31.03(e), Penal Code, as follows:

(e) Provides that an offense under this section, except as provided by Subsection (f) (relating to the escalation of an offense to the next higher category under certain circumstances), is a felony of the third degree, rather than a state jail felony, if the property stolen is an official ballot or official ballot carrier envelope for an election. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

EFFECTIVE DATE

Effective date: September 1, 2013.