

By: Zedler, Flynn

H.B. No. 289

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of the attorney general to investigate  
3 election-related offenses.

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

5 SECTION 1. Section 15.028, Election Code, is amended to  
6 read as follows:

7 Sec. 15.028. NOTICE OF UNLAWFUL VOTING TO PROSECUTOR.  
8 [~~(a)~~] If the registrar determines that a person who is not a  
9 registered voter voted in an election, the registrar shall execute  
10 and deliver an affidavit stating the relevant facts to:

11 (1) the county or district attorney having  
12 jurisdiction in the territory covered by the election; and

13 (2) ~~[an affidavit stating the relevant facts.~~

14 [~~(b) If the election covers territory in more than one~~  
15 ~~county, the registrar shall also deliver an affidavit to]~~ the  
16 attorney general.

17 SECTION 2. Section 273.001(a), Election Code, is amended to  
18 read as follows:

19 (a) If two or more registered voters of the territory  
20 covered by an election present affidavits alleging criminal conduct  
21 in connection with the election to the county or district attorney  
22 having jurisdiction in that territory or to the attorney general,  
23 the ~~[county or district]~~ attorney receiving the affidavits shall  
24 investigate the allegations. [~~If the election covers territory in~~

1 ~~more than one county, the voters may present the affidavits to the~~  
2 ~~attorney general, and the attorney general shall investigate the~~  
3 ~~allegations.]~~

4         SECTION 3. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2013.