

By: Schofield

H.B. No. 1462

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the prosecution of certain offenses relating to an
3 application for a ballot to be voted by mail; increasing a criminal
4 penalty.

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

6 SECTION 1. Section 84.003(b), Election Code, is amended to
7 read as follows:

8 (b) A person who acts as a witness for an applicant for an
9 early voting ballot application commits an offense if the person
10 knowingly fails to comply with Section 1.011. A person who [~~in the~~
11 ~~presence of the applicant~~] otherwise assists an applicant in
12 completing an early voting ballot application commits an offense if
13 the person knowingly fails to comply with Section 1.011(d) in the
14 same manner as a witness.

15 SECTION 2. Section 84.0041(b), Election Code, is amended to
16 read as follows:

17 (b) An offense under this section is a state jail felony
18 [~~unless the person is the applicant, is related to the applicant~~
19 ~~within the second degree by affinity or the third degree by~~
20 ~~consanguinity, as determined under Subchapter B, Chapter 573,~~
21 ~~Government Code, or is registered to vote at the same address as the~~
22 ~~applicant, in which event the offense is a Class A misdemeanor].~~

23 SECTION 3. The change in law made by this Act applies only
24 to an offense committed on or after the effective date of this Act.

1 An offense committed before the effective date of this Act is
2 governed by the law in effect when the offense was committed, and
3 the former law is continued in effect for that purpose. For
4 purposes of this section, an offense was committed before the
5 effective date of this Act if any element of the offense occurred
6 before that date.

7 SECTION 4. This Act takes effect September 1, 2015.