

By: Ellis

S.B. No. 349

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of the secretary of state to enforce  
3 election laws.

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

5 SECTION 1. The heading to Section 31.005, Election Code, is  
6 amended to read as follows:

7 Sec. 31.005. ENFORCEMENT; PROTECTION OF VOTING RIGHTS.

8 SECTION 2. Section 31.005(b), Election Code, is amended to  
9 read as follows:

10 (b) If the secretary determines that a person performing  
11 official functions in the administration of any part of the  
12 electoral processes is exercising the powers vested in that person  
13 in a manner that impedes the free exercise of a citizen's voting  
14 rights or otherwise violates this code, the secretary may order the  
15 person to correct the offending conduct. If the person fails to  
16 comply, the secretary may seek enforcement of the order by a  
17 temporary restraining order or a writ of injunction or mandamus  
18 obtained through the attorney general.

19 SECTION 3. This Act takes effect immediately if it receives  
20 a vote of two-thirds of all the members elected to each house, as  
21 provided by Section 39, Article III, Texas Constitution. If this  
22 Act does not receive the vote necessary for immediate effect, this  
23 Act takes effect September 1, 2015.