

By: Kolkhorst

S.B. No. 1633

A BILL TO BE ENTITLED

AN ACT

relating to criminal conduct in connection with an election.

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

SECTION 1. Chapter 20, Code of Criminal Procedure, is amended by adding Article 20.014 to read as follows:

Art. 20.014. RECORDING OF CERTAIN GRAND JURY PROCEEDINGS INVOLVING CRIMINAL CONDUCT IN CONNECTION WITH AN ELECTION. (a) The entire grand jury proceeding shall be recorded either by a stenographer or by use of an electronic device capable of recording sound if the person is suspected or accused of committing an offense under the Election Code.

(b) A disclosure of a record made under Subsection (a) or a disclosure of a typewritten transcription of that record shall be made public if the grand jury finds no bill of indictment.

SECTION 2. Article 20.02(a), Code of Criminal Procedure, is amended to read as follows:

(a) Except as provided by Article 20.014, the ~~[The]~~ proceedings of the grand jury shall be secret.

SECTION 3. Section 15.028, Election Code, is amended to read as follows:

Sec. 15.028. NOTICE OF UNLAWFUL VOTING TO PROSECUTOR.

~~[(a)]~~ If the registrar determines that a person who is not a registered voter voted in an election, the registrar shall execute and deliver an affidavit stating the relevant facts to:

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

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

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

7 SECTION 4. Section 273.001(a), Election Code, is amended to
8 read as follows:

9 (a) If two or more registered voters of the territory
10 covered by an election present affidavits alleging criminal conduct
11 in connection with the election to the county or district attorney
12 having jurisdiction in that territory or to the attorney general,
13 the ~~[county or district]~~ attorney receiving the affidavits shall
14 investigate the allegations. ~~[If the election covers territory in~~
15 ~~more than one county, the voters may present the affidavits to the~~
16 ~~attorney general, and the attorney general shall investigate the~~
17 ~~allegations.]~~

18 SECTION 5. This Act applies only to a grand jury whose term
19 commences on or after the effective date of this Act.

20 SECTION 6. This Act takes effect September 1, 2015.