

By: Huffines

S.B. No. 88

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for certain voting-related offenses committed or attempted by persons who are not citizens of the United States.

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

SECTION 1. Section 13.007(b), Election Code, is amended to read as follows:

(b) An offense under this section is a Class B misdemeanor, unless the person is not a citizen of the United States. In that case, the offense is a state jail felony.

SECTION 2. Section 64.012, Election Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) Except as provided by Subsection (c), an [An] offense under this section is a felony of the second degree [~~unless the person is convicted of an attempt. In that case, the offense is a state jail felony~~].

(c) If a person is convicted of an attempt to commit an offense under this section, the offense is:

(1) a state jail felony, if the person is a citizen of the United States; or

(2) a felony of the third degree, if the person is not a citizen of the United States.

SECTION 3. The changes in law made by this Act apply only to

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

7 SECTION 4. This Act takes effect December 1, 2017.