

By: Swanson

H.B. No. 3662

A BILL TO BE ENTITLED

AN ACT

relating to the acceptance of a voter; creating an offense.

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

SECTION 1. Section 63.006, Election Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) After the voter is accepted, an election officer shall ~~+~~ ~~[(1)]~~ indicate beside the voter's name on the poll list: (1) that the voter was accepted under this section;

and

(2) the unique qualifying serial number provided by the county clerk or the voter registrar confirming the voter is currently registered ~~[enter the voter's name on the registration omissions list]~~.

(c) The secretary of state shall adopt procedures for issuing a serial number as required under Subsection (b).

SECTION 2. Section 63.012, Election Code, is amended to read as follows:

Sec. 63.012. UNLAWFULLY ACCEPTING OR REFUSING TO ACCEPT VOTER. (a) An election officer commits an offense if the officer knowingly:

(1) permits an ineligible voter to vote other than as provided by Section 63.011; ~~[or]~~

(2) refuses to accept a person for voting whose

1 acceptance is required by this code; or

2 (3) permits an ineligible person to vote under Section
3 63.006.

4 (b) Except as provided by Subsection (c), an ~~[An]~~ offense
5 under this section is a Class B misdemeanor.

6 (c) If it is shown on the trial of an offense under
7 Subsection (a)(3) that the election officer has committed three or
8 more offenses under Subsection (a)(3), the offense is a state jail
9 felony.

10 SECTION 3. The change in law made by this Act to Section
11 63.012, Election Code, applies only to an offense committed on or
12 after the effective date of this Act. An offense committed before
13 the effective date of this Act is governed by the law in effect at
14 the time of the offense, and the former law is continued in effect
15 for that purpose. For purposes of this section, an offense was
16 committed before the effective date of this Act if any element of
17 the offense occurred before that date.

18 SECTION 4. This Act takes effect September 1, 2017.