86R1707 GRM-D

By:  Swanson H.B. No. 151

A BILL TO BE ENTITLED

AN ACT

relating to the assistance of voters; increasing a penalty.

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

SECTION 1.  Section 64.034, Election Code, is amended to read as follows:

Sec. 64.034.  OATH. A person selected to provide assistance to a voter must take the following oath, administered by an election officer at the polling place, before providing assistance:

"I swear (or affirm) that I will not suggest, by word, sign, or gesture, how the voter should vote; I will confine my assistance to answering the voter's questions, to stating propositions on the ballot, and to naming candidates and, if listed, their political parties; I will prepare the voter's ballot as the voter directs; I did not pressure or intimidate the voter in choosing me to provide assistance; and I am not the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs."

SECTION 2.  Section 37.02, Penal Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b)  An offense under this section is a Class A misdemeanor except as provided by Subsection (c).

(c)  The punishment for an offense under this section is a state jail felony if it is shown on the trial of the offense that the offense was a violation of Section 64.034, Election Code, and was committed three or more times in a single election.

SECTION 3.  The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 4.  This Act takes effect September 1, 2019.