

By: Bucy

H.B. No. 167

A BILL TO BE ENTITLED

AN ACT

relating to the elements of the offense of illegal voting.

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

SECTION 1. Section 64.012, Election Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) A person commits an offense if the person:

(1) votes or attempts to vote in an election if [~~in~~ ~~which~~] the person knows:

(A) of particular circumstances that make the person [is] not eligible to vote in the election; and

(B) that those circumstances make the person not eligible to vote in the election;

(2) knowingly votes or attempts to vote more than once in an election;

(3) knowingly votes or attempts to vote a ballot belonging to another person, or by impersonating another person; or

(4) knowingly marks or attempts to mark any portion of another person's ballot without the consent of that person, or without specific direction from that person how to mark the ballot.

(c) It is an exception to the application of Subsection (a)(1) that the person:

(1) voted or attempted to vote a provisional ballot in accordance with Section 63.011; and

1           (2) did not knowingly make a false statement on the  
2 affidavit executed by the person in accordance with Section 63.011  
3 with intent to deceive.

4           SECTION 2. The change in law made by this Act applies to an  
5 offense under Section 64.012(a)(1), Election Code, regardless of  
6 whether the offense was committed before, on, or after the  
7 effective date of this Act.

8           SECTION 3. This Act takes effect on the 91st day after the  
9 last day of the legislative session.