

By: Crockett

H.B. No. 3719

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the elements of the offense of illegal voting and to
3 procedures for a person voting a provisional ballot.

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

5 SECTION 1. Section 63.011, Election Code, is amended by
6 adding Subsection (a-2) to read as follows:

7 (a-2) Before an election officer provides a person with an
8 affidavit to be executed under this section, the election officer
9 shall orally inform the person of each requirement to be eligible to
10 register as a voter in this state under Section 13.001.

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

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

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

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

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

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

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

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

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

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

8 (2) did not receive the information required by
9 Section 63.011(a-2).

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

18 SECTION 4. This Act takes effect September 1, 2021.