

By: Creighton, et al.

S.B. No. 1508

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the election integrity division in the office of the attorney general.

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

SECTION 1. Subchapter A, Chapter 273, Election Code, is amended by adding Section 273.0025 to read as follows:

Sec. 273.0025. REQUEST FOR RECORDS. (a) An election official or political subdivision shall promptly provide access to election records requested by a law enforcement officer or prosecutor in connection with an investigation under this subchapter.

(b) Notwithstanding any other provision of this code, copies of records and information provided pursuant to Subsection (a) or another section of this code shall be provided in an unredacted format and shall, upon request, be certified by the official providing the records.

(c) A request made under this section is not a public information request under Chapter 552, Government Code, and the records and information provided under this section are confidential. The original election records in the custody of an election official or political subdivision remain subject to existing law, but must be retained pending the final outcome of any investigation and resulting litigation, including appeal.

SECTION 2. Subchapter B, Chapter 402, Government Code, is

1 amended by adding Section 402.0385 to read as follows:

2 Sec. 402.0385. ELECTION INTEGRITY DIVISION. (a) The  
3 office of the attorney general shall establish an election  
4 integrity division to safeguard the integrity of elections, ensure  
5 public confidence in the electoral process, and investigate and  
6 prosecute election fraud offenses under the laws of this state.

7 (b) The election integrity division shall, using available  
8 funds or any funds appropriated to the division, investigate and  
9 prosecute, when appropriate, credible complaints of election fraud  
10 pursuant to authority granted under Chapter 273, Election Code.

11 (c) A law enforcement agency in this state shall assist the  
12 election integrity division in an investigation conducted under  
13 this section as requested by the division.

14 SECTION 3. This Act takes effect September 1, 2021.