

BILL ANALYSIS

S.B. 610
By: Hughes
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In the event of an Article V Convention to amend the U.S. Constitution, delegates could go against their mandate and contribute to a runaway convention scenario. S.B. 610 seeks to discourage delegates from making unauthorized votes by making such an action a state jail felony offense.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 610 amends the Government Code to create a state jail felony offense for a delegate or alternate delegate to an Article V constitutional convention who knowingly casts an unauthorized vote. The bill requires a judge granting community supervision of a delegate or alternate delegate convicted of that offense to require as a condition of that supervision that the defendant submit to not less than 10 days of confinement in county jail. The bill prohibits this term of confinement from being credited toward completion of any sentence imposed on the revocation of the community supervision, if applicable.

EFFECTIVE DATE

September 1, 2023.