

BILL ANALYSIS

Senate Research Center
88R11463 LRM-F

S.B. 2208
By: Parker
State Affairs
4/14/2023
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Election crimes can carry a great deal of political contention and deserve to be heard in an unbiased venue. In most cases, current law requires election crimes to be prosecuted in the county in which they occur. The prosecution of election crimes can be particularly contentious given their political nature. By allowing election crimes to be held in adjoining counties, the case is more likely to receive a fair and unbiased venue.

S.B. 2208 allows election crimes to be pursued in an adjoining county.

As proposed, S.B. 2208 amends current law relating to the venue for the prosecution of an election offense.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 13, Code of Criminal Procedure, by adding Article 13.41, as follows:

Art. 13.41. ELECTION OFFENSES. (a) Authorizes an offense classified as a felony under the Election Code, or a felony offense otherwise related to an election conducted in this state, to be prosecuted in a judicial district adjoining the judicial district in which the offense occurred.

(b) Authorizes an offense classified as a misdemeanor under the Election Code, or a misdemeanor offense otherwise related to an election conducted in this state, to be prosecuted in a county adjoining the county in which the offense occurred.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.