

By: Zwiener

H.B. No. 4247

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requiring notice regarding the potential eligibility to
3 vote of certain persons convicted of a felony and the duties of a
4 sheriff or jailer relating to elections.

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

6 SECTION 1. Subchapter O, Chapter 42A, Code of Criminal
7 Procedure, is amended by adding Article 42A.703 to read as follows:

8 Art. 42A.703. NOTICE REGARDING POTENTIAL ELIGIBILITY FOR
9 VOTER REGISTRATION. A judge who discharges under Article 42A.701 a
10 defendant placed on community supervision for a felony shall notify
11 the defendant, in writing, that the defendant may be eligible to
12 register to vote under Section 13.001, Election Code.

13 SECTION 2. Chapter 48, Code of Criminal Procedure, is
14 amended by adding Article 48.055 to read as follows:

15 Art. 48.055. NOTICE REGARDING POTENTIAL ELIGIBILITY FOR
16 VOTER REGISTRATION. The Board of Pardons and Paroles shall notify
17 each person pardoned by the governor for a felony offense, in
18 writing, that the person may be eligible to register to vote under
19 Section 13.001, Election Code.

20 SECTION 3. Section 84.0111(a), Election Code, is amended to
21 read as follows:

22 (a) Except as provided by Subsection (c) of this section,
23 Section 351.049, Local Government Code, or any other provision of
24 [~~or as otherwise authorized by~~] this code, an officer or employee of

1 this state or of a political subdivision of this state may not
2 distribute an application form for an early voting ballot to a
3 person who did not request an application under Section 84.001.

4 SECTION 4. Chapter 493, Government Code, is amended by
5 adding Section 493.035 to read as follows:

6 Sec. 493.035. NOTICE REGARDING POTENTIAL ELIGIBILITY FOR
7 VOTER REGISTRATION. (a) In this section, "offender" means an
8 inmate or state jail defendant.

9 (b) The department shall notify, in writing, an offender who
10 completes the offender's sentence, including any period of parole
11 or mandatory supervision, that the offender may be eligible to
12 register to vote under Section 13.001, Election Code.

13 SECTION 5. Subchapter C, Chapter 351, Local Government
14 Code, is amended by adding Section 351.049 to read as follows:

15 Sec. 351.049. DUTIES RELATING TO ELECTIONS. (a) Not later
16 than 30 days before the deadline provided by Section 84.007(c),
17 Election Code, for an election held in the county served by a
18 sheriff or jailer, the sheriff or jailer appointed under Section
19 351.041 shall:

20 (1) notify each prisoner in the custody of a county
21 jail, in writing, that the prisoner may be eligible to register to
22 vote under Section 13.001, Election Code; and

23 (2) if the prisoner is expected to remain in the
24 custody of a county jail until the date the election will be held,
25 provide to the prisoner an application for a ballot to be voted by
26 mail.

27 (b) The sheriff of the county or a jailer appointed under

1 Section 351.041 shall:

2 (1) assist a prisoner who is expected to remain in the
3 custody of the county jail on the date of an election held in the
4 county with mailing an application for a ballot to be voted by mail
5 not more than 24 hours after the prisoner completes the
6 application;

7 (2) deliver a ballot to be voted by mail received by
8 the county for a prisoner in the custody of the county jail, to the
9 prisoner not more than 24 hours after receipt; and

10 (3) assist a prisoner who has received a ballot to be
11 voted by mail with mailing the ballot not more than 24 hours after
12 the prisoner completes the ballot.

13 SECTION 6. Articles 42A.703 and 48.055, Code of Criminal
14 Procedure, as added by this Act, and Section 493.035, Government
15 Code, as added by this Act, apply only to a person who is pardoned by
16 the governor or fully discharges a sentence, including any term of
17 incarceration, parole, or supervision, or completes a period of
18 probation ordered by any court on or after the effective date of
19 this Act.

20 SECTION 7. This Act takes effect September 1, 2023.