A BILL TO BE ENTITLED

AN ACT
relating to conduct constituting the criminal offense of illegal
voting; increasing a criminal penalty.

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

SECTION 1. Sections 64.012(a) and (b), Election Code, are
amended to read as follows:

(a) A person commits an offense if the person knowingly or
intentionally:
(1) votes or attempts to vote in an election in which
the person knows of a particular circumstance that makes the person
[is] not eligible to vote;
(2) votes or attempts to vote more than once in an
election;
(3) votes or attempts to vote a ballot belonging to
another person, or by impersonating another person;
(4) marks or attempts to mark any portion of another
person's ballot without the consent of that person, or without
specific direction from that person how to mark the ballot; or
(5) votes or attempts to vote in an election in this
state after voting in another state in an election in which a
federal office appears on the ballot and the election day for both
states is the same day.

(b) An offense under this section is a felony of the second
degree unless the person is convicted of an attempt. In that case,
the offense is a state jail felony [Class A misdemeanor].

SECTION 2. The changes in law made by this Act apply only to
an offense committed on or after the effective date of this Act. An
offense committed before the effective date of this Act is governed
by the law in effect when the offense was committed, and the former
law is continued in effect for that purpose. For purposes of this
section, an offense was committed before the effective date of this
Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect immediately if it receives
a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this
Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2023.