

House Bill 1243
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 64.012(b), Election Code, is amended to read as follows:

(b) An offense under this section is a felony of the second degree unless the person is convicted of an attempt, in which event it 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 September 1, 2023.

SENATE VERSION (CS)

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. Same as House version.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house,

CONFERENCE

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HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

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.