

## **BILL ANALYSIS**

Senate Research Center

H.B. 1661  
By: Vasut et al. (Bettencourt)  
State Affairs  
5/15/2025  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The secretary of state's 2021–2022 Comprehensive Election Audit Report found that "Harris County failed to supply adequate amounts of ballot paper to polling locations for the November 8, 2022, general election." H.B. 1661 seeks to mitigate this issue by establishing specific requirements for providing ballots to an election precinct, creating new offenses for intentionally failing to supply or supplement ballots to a polling place, and enhancing penalties for intentional failures to comply with state law relating to the distribution of election supplies and revealing election information before polls close.

H.B. 1661 amends current law relating to election supplies and the conduct of elections, creates criminal offenses, and increases criminal penalties.

### **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 Section 51.005, Election Code, by amending Subsection (a) and adding Subsections (a-1) and (d), as follows:

(a) Makes a nonsubstantive change to this subsection.

(a-1) Creates this subsection from existing text. Prohibits the number of ballots provided from exceeding the total number of registered voters in the precinct unless the county participates in the countywide polling place program under Section 43.007 (Countywide Polling Place Program).

(d) Provides that the authority responsible for procuring the election supplies for an election commits an offense if the authority intentionally fails to provide an election precinct with the required number of ballots under Section 51.005 (Number of Ballots). Provides that an offense under this subsection is a Class A misdemeanor.

SECTION 2. Amends Section 51.008, Election Code, by adding Subsection (e), as follows:

(e) Provides that the authority responsible for procuring the election supplies for an election commits an offense if the authority intentionally fails to promptly supplement the distributed ballots upon request by a polling place. Provides that an offense under this subsection is a Class A misdemeanor.

SECTION 3. Amends Section 51.010(c), Election Code, to provide that an offense under Section 51.010 (Failure to Distribute or Deliver Supplies) is a Class A, rather than Class C, misdemeanor.

SECTION 4. Amends Section 51.011(b), Election Code, to provide that an offense under Section 51.011 (Obstructing Distribution of Supplies) is a Class A, rather than Class C, misdemeanor.

SECTION 5. Amends Section 61.007(b), Election Code, to provide that an offense under Section 61.007 (Unlawfully Revealing Information Before Polls Close) is a state jail felony, rather than a Class A misdemeanor.

SECTION 6. Makes application of Sections 51.010, 51.011, and 61.007, Election Code, prospective.

SECTION 7. Effective date: September 1, 2025.