

BILL ANALYSIS

Senate Research Center
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S.B. 507
By: Bettencourt et al.
State Affairs
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In Harris County in the November 2022 Election over 120 of the over 780 Election Day polls were supplied with an insufficient amount of ballot paper. Over 29 polls were not able to get more ballots before they ran out of paper and voters were not able to vote.

In the same election, a Temporary Restraining Order was issued to extend the time the polls were open until 8 pm. However, the Election Administrator's Office posted election results from Early Voting before 8:00 pm.

S.B. 507 would increase the penalty for:

- The intentional failure to deliver election supplies timely from a Class C to a Class A misdemeanor;
- Intentionally obstructing the distribution of election supplies for an election from a Class C misdemeanor to a state jail felony; and
- Unlawfully revealing how a candidate or measure is doing or if a voter has or has not voted in an election before from a Class A misdemeanor to a state jail felony.

S.B. 507 also creates two Class A misdemeanors:

- An authority responsible for procuring 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 this section.
- An 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.

As proposed, S.B. 507 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). Makes a nonsubstantive change.

(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 this section. Provides that an offense under this subsection is a Class A misdemeanor.

SECTION 2. Amends Section 51.008, Election Code, by amending 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 state jail felony, rather than a 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.