

**BILL ANALYSIS**

Senate Research Center  
89R26556 TSS-F

C.S.S.B. 2363  
By: Creighton  
State Affairs  
4/29/2025  
Committee Report (Substituted)

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

During the 2024 Republican Primary Election, the ballot of the then-Chairman of the Republican Party of Texas was published online by a news outlet for the public to see without his consent. This was a violation of privacy and undermined the secrecy of his ballot, which all Texans reasonably expect when they cast their vote.

S.B. 2363 amends Texas Election Code to make it a third degree felony to knowingly publish someone else's vote without their consent.

(Original Author/Sponsor's Statement of Intent)

C.S.S.B. 2363 amends current law relating to the prosecution of the criminal offense of unlawfully publishing a vote.

**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 61.006, Election Code, as follows:

Sec. 61.006. New heading: UNLAWFULLY PUBLISHING VOTE. (a) Defines "effective consent" and "publish."

(a-1) Creates this subsection from existing text. Provides that a person commits an offense if the person intentionally or knowingly publishes how a voter has voted without the effective consent of the voter.

Deletes existing text providing that a person commits an offense if the person was in a polling place for any purpose other than voting and knowingly communicates to another person information that the person obtained at the polling place about how a voter has voted.

(b) Makes no changes to this subsection.

(c) Provides that it is an affirmative defense to prosecution under this section that the person published the voter's voting information pursuant to a state law that requires the publication.

Deletes existing text providing that this section does not apply to information presented in an official investigation or other official proceeding in which the information is relevant.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2025.