

By: Guillen

H.B. No. 242

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the criminal offense of obtaining personally identifiable voter information.

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

SECTION 1. Chapter 276, Election Code, is amended by adding Section 276.0051 to read as follows:

Sec. 276.0051. OBTAINING PERSONALLY IDENTIFIABLE VOTER INFORMATION. (a) Except as provided by Subsection (b) or (c), a person commits an offense if the person obtains or attempts to obtain any personally identifiable information that connects a voter to the voter's individual ballot selections in violation of the voter's right to a secret ballot protected under Section 4, Article VI, Texas Constitution.

(b) It is an exception to prosecution under this section that:

(1) the person obtaining or attempting to obtain the personally identifiable information is an election official responsible for handling, storing, or making voter information publicly available in compliance with other law; and

(2) the obtention or attempt occurred during the lawful discharge of the person's official duty.

(c) It is an exception to prosecution under this section that the person obtains or attempts to obtain personally identifiable information that connects a voter to the voter's

1 individual ballot selections only under the order or authority of a  
2 court or tribunal during an election contest or legal proceeding  
3 related to an election contest.

4 (d) An offense under this section is a felony of the third  
5 degree.

6 (e) Notwithstanding Section 3.03(a), Penal Code, a court  
7 may order the sentences of confinement to which a person is  
8 sentenced to run consecutively as described by Article 42.08, Code  
9 of Criminal Procedure, if a person is convicted under this section  
10 and is also found guilty of one or more additional offenses arising  
11 out of:

12 (1) the same criminal episode; and

13 (2) the person's use of the information obtained in  
14 violation of this section.

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

23 SECTION 3. This Act takes effect September 1, 2025.