

1-1 By: Hughes, Bettencourt, Springer S.B. No. 2
 1-2 (In the Senate - Filed February 21, 2023; February 22, 2023,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 March 1, 2023, reported favorably by the following vote: Yeas 8,
 1-5 Nays 3; March 1, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12		X		
1-13		X		
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18		X		

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to conduct constituting the criminal offense of illegal
 1-22 voting; increasing a criminal penalty.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Sections 64.012(a) and (b), Election Code, are
 1-25 amended to read as follows:

1-26 (a) A person commits an offense if the person knowingly or
 1-27 intentionally:

1-28 (1) votes or attempts to vote in an election in which
 1-29 the person knows of a particular circumstance that makes the person
 1-30 ~~is~~ not eligible to vote;

1-31 (2) votes or attempts to vote more than once in an
 1-32 election;

1-33 (3) votes or attempts to vote a ballot belonging to
 1-34 another person, or by impersonating another person;

1-35 (4) marks or attempts to mark any portion of another
 1-36 person's ballot without the consent of that person, or without
 1-37 specific direction from that person how to mark the ballot; or

1-38 (5) votes or attempts to vote in an election in this
 1-39 state after voting in another state in an election in which a
 1-40 federal office appears on the ballot and the election day for both
 1-41 states is the same day.

1-42 (b) An offense under this section is a felony of the second
 1-43 degree unless the person is convicted of an attempt. In that case,
 1-44 the offense is a state jail felony ~~[Class A misdemeanor]~~.

1-45 SECTION 2. The changes in law made by this Act apply only to
 1-46 an offense committed on or after the effective date of this Act. An
 1-47 offense committed before the effective date of this Act is governed
 1-48 by the law in effect when the offense was committed, and the former
 1-49 law is continued in effect for that purpose. For purposes of this
 1-50 section, an offense was committed before the effective date of this
 1-51 Act if any element of the offense occurred before that date.

1-52 SECTION 3. This Act takes effect immediately if it receives
 1-53 a vote of two-thirds of all the members elected to each house, as
 1-54 provided by Section 39, Article III, Texas Constitution. If this
 1-55 Act does not receive the vote necessary for immediate effect, this
 1-56 Act takes effect September 1, 2023.

1-57 * * * * *