

1-1 By: Shaheen, et al. (Senate Sponsor - Hughes) H.B. No. 5115  
 1-2 (In the Senate - Received from the House May 15, 2025;  
 1-3 May 21, 2025, read first time and referred to Committee on State  
 1-4 Affairs; May 25, 2025, reported favorably by the following vote:  
 1-5 Yeas 8, Nays 1; May 25, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hughes	X			
1-8 Paxton	X			
1-9 Bettencourt	X			
1-10 Birdwell	X			
1-11 Hall	X			
1-12 Hinojosa of Nueces	X			
1-13 Middleton	X			
1-14 Parker	X			
1-15 Perry			X	
1-16 Schwertner			X	
1-17 Zaffirini		X		

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

1-21 relating to the penalty for the crime of election fraud; increasing  
 1-22 a criminal penalty.

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

1-24 SECTION 1. Sections 276.013(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 makes any effort to:

1-28 (1) influence the independent exercise of the vote of  
 1-29 another in the presence of the ballot or during the voting process,  
 1-30 including by altering the ballot of another or by otherwise causing  
 1-31 a ballot to not reflect the intent of the voter;

1-32 (2) cause a voter to become registered, a ballot to be  
 1-33 obtained, or a vote to be cast under false pretenses;

1-34 (3) cause any false or intentionally misleading  
 1-35 statement, representation, or information to be provided:

1-36 (A) to an election official; or

1-37 (B) on an application for ballot by mail, carrier  
 1-38 envelope, or any other official election-related form or document;

1-39 (4) prevent a voter from casting a legal ballot in an  
 1-40 election in which the voter is eligible to vote;

1-41 (5) provide false information to a voter with the  
 1-42 intent of preventing the voter from voting in an election in which  
 1-43 the voter is eligible to vote;

1-44 (6) cause the ballot not to reflect the intent of the  
 1-45 voter;

1-46 (7) cause a ballot to be voted for another person that  
 1-47 the person knows to be deceased or otherwise knows not to be a  
 1-48 qualified or registered voter;

1-49 (8) cause or enable a vote to be cast more than once in  
 1-50 the same election; ~~or~~

1-51 (9) discard or destroy a voter's completed ballot  
 1-52 without the voter's consent;

1-53 (10) count votes the person knows are invalid or alter  
 1-54 a report to include votes the person knows are invalid; or

1-55 (11) refuse to count votes the person knows are valid  
 1-56 or alter a report to exclude votes the person knows are valid.

1-57 (b) An offense under this section is a felony of the second  
 1-58 degree [~~Class A misdemeanor~~], unless:

1-59 (1) the person committed the offense while acting in  
 1-60 the person's capacity as an elected official, in which case the  
 1-61 offense is a [state jail] felony of the first degree; or

2-1 (2) the person is convicted of an attempt, in which  
2-2 case the offense is a felony of the third degree [~~Class B~~  
2-3 ~~misdemeanor~~].

2-4 SECTION 2. The following provisions of the Election Code  
2-5 are repealed:

2-6 (1) Section 276.013(c); and

2-7 (2) Section 276.014.

2-8 SECTION 3. The changes in law made by this Act apply only to  
2-9 an offense committed on or after the effective date of this Act. An  
2-10 offense committed before the effective date of this Act is governed  
2-11 by the law in effect when the offense was committed, and the former  
2-12 law is continued in effect for that purpose. For purposes of this  
2-13 section, an offense was committed before the effective date of this  
2-14 Act if any element of the offense occurred before that date.

2-15 SECTION 4. This Act takes effect September 1, 2025.

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