

1-1 By: Hughes, Creighton, Kolkhorst S.B. No. 1026  
1-2 (In the Senate - Filed January 30, 2025; February 24, 2025,  
1-3 read first time and referred to Committee on State Affairs;  
1-4 March 24, 2025, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; March 24, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Hughes	X		
1-9	Paxton	X		
1-10	Bettencourt	X		
1-11	Birdwell	X		
1-12	Hall	X		
1-13	Hinojosa of Nueces	X		
1-14	Middleton	X		
1-15	Parker	X		
1-16	Perry		X	
1-17	Schwertner	X		
1-18	Zaffirini		X	

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

1-21 relating to the duty of the attorney general to prosecute criminal  
1-22 offenses prescribed by the election laws of this state.

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

1-24 SECTION 1. Chapter 402, Government Code, is amended by  
1-25 adding Subchapter D to read as follows:

1-26 SUBCHAPTER D. PROSECUTION OF CRIMINAL OFFENSES PRESCRIBED BY STATE  
1-27 ELECTION LAWS

1-28 Sec. 402.101. APPLICABILITY. This subchapter applies to a  
1-29 criminal offense under the Election Code.

1-30 Sec. 402.102. PROVISION OF INFORMATION TO ATTORNEY GENERAL.

1-31 (a) A law enforcement agency that submits to a local prosecuting  
1-32 attorney a report stating there is probable cause to believe an  
1-33 identified person has committed a criminal offense described by  
1-34 Section 402.101 shall simultaneously submit a copy of that report  
1-35 to the attorney general.

1-36 (b) On request of the attorney general, a local prosecuting  
1-37 attorney or law enforcement agency shall provide information  
1-38 regarding investigations of criminal offenses described by Section  
1-39 402.101 to assist the attorney general in performing duties  
1-40 required under this subchapter.

1-41 Sec. 402.103. PROSECUTION. Notwithstanding any other law,  
1-42 the attorney general has jurisdiction to prosecute and shall  
1-43 prosecute a criminal offense described by Section 402.101 if:

1-44 (1) a law enforcement agency submits a report  
1-45 described by Section 402.102(a) to the local prosecuting attorney  
1-46 and the attorney general; and

1-47 (2) six months have elapsed from the date the report  
1-48 was submitted and the local prosecuting attorney has not initiated  
1-49 proceedings to prosecute the offense.

1-50 SECTION 2. Sections 273.021(a) and (b), Election Code, are  
1-51 amended to read as follows:

1-52 (a) The attorney general shall ~~may~~ prosecute a criminal  
1-53 offense prescribed by the election laws of this state as provided by  
1-54 Subchapter D, Chapter 402, Government Code.

1-55 (b) The attorney general may appear before a grand jury in  
1-56 connection with a criminal ~~an~~ offense the attorney general is  
1-57 required ~~authorized~~ to prosecute under Subsection (a).

1-58 SECTION 3. Section 273.022, Election Code, is amended to  
1-59 read as follows:

1-60 Sec. 273.022. COOPERATION WITH LOCAL PROSECUTOR. The  
1-61 attorney general may direct the county or district attorney serving

the county in which the offense is to be prosecuted to prosecute a  
criminal ~~[an]~~ offense that the attorney general is required  
~~[authorized]~~ to prosecute under Section 273.021 or to assist the  
attorney general in the prosecution.

SECTION 4. The changes in law made by this Act apply only to  
an offense committed on or after the effective date of this Act. An  
offense committed before the effective date of this Act is governed  
by the law in effect on the date the offense was committed, and the  
former law is continued in effect for that purpose. For purposes of  
this section, an offense was committed before the effective date of  
this Act if any element of the offense occurred before that date.

SECTION 5. This Act takes effect September 1, 2025.

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