

By: Laubenberg

H.B. No. 3425

A BILL TO BE ENTITLED

AN ACT

relating to aid provided to certain voters; providing a criminal penalty.

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

SECTION 1. Section 86.0051, Election Code, is amended by adding Subsections (a-1) and (d-1) and amending Subsections (d) and (e) to read as follows:

(a-1) A person commits an offense if the person deposits in the mail or with a common or contract carrier more than two carrier envelopes containing ballots voted by other persons in an election. It is not a defense to an offense under this subsection that the voter voluntarily gave another person possession of the voter's carrier envelope.

(d) An offense under Subsection (a) or (c) [this section] is a Class B misdemeanor, unless the person is convicted of an offense under Section 64.036 for providing unlawful assistance to the same voter in connection with the same ballot, in which event the offense is a state jail felony.

(d-1) An offense under Subsection (a-1) is a state jail felony.

(e) Subsections (a), (a-1), and (c) do not apply if the person is related to the applicant within the second degree by affinity or the third degree by consanguinity, as determined under Subchapter B, Chapter 573, Government Code, or is registered to

1 vote at the same address as the applicant.

2 SECTION 2. The change in law made by this Act applies only
3 to an offense committed on or after the effective date of this Act.
4 An offense committed before the effective date of this Act is
5 governed by the law in effect on the date the offense was committed,
6 and the former law is continued in effect for that purpose. For
7 purposes of this section, an offense was committed before the
8 effective date of this Act if any element of the offense occurred
9 before that date.

10 SECTION 3. This Act takes effect September 1, 2017.