

By: Klick

H.B. No. 3386

A BILL TO BE ENTITLED

AN ACT

relating to consistency in election practices and procedures;
increasing the penalty for unlawful participation in a political
party's proceedings.

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

SECTION 1. Section 66.058(a), Election Code, is amended to
read as follows:

(a) Except as otherwise provided by this code, the precinct
election records shall be preserved by the authority to whom they
are distributed[+]

~~[(1) in an election involving a federal office,] for~~
at least 36 ~~[22]~~ months after election day ~~[in accordance with~~
~~federal law, or~~

~~[(2) in an election not involving a federal office,~~
~~for at least six months after election day].~~

SECTION 2. Section 127.152(c), Election Code, is amended to
read as follows:

(c) The general custodian of election records shall
preserve the test materials for the period for preserving the
precinct election records ~~[at least one year after election day or~~
~~for at least 22 months after election day for an election involving~~
~~a federal office].~~

SECTION 3. Section 129.023(f), Election Code, is amended to
read as follows:

(f) On completing the testing:

(1) the testing board shall witness and document all steps taken to reset, seal, and secure any equipment or test materials, as appropriate; and

(2) the general custodian for election records shall preserve a copy of the system's software at a secure location that is outside the administrator's and programming entity's control for the period for preserving the precinct election records ~~[until at least 22 months after election day]~~.

SECTION 4. Section 162.014(b), Election Code, is amended to read as follows:

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

SECTION 5. The change in law made by this Act to Section 162.014, Election Code, applies 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 when 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 6. This Act takes effect September 1, 2017.