

BILL ANALYSIS

C.S.H.B. 574
By: Bonnen
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Legislation enacted by the 85th Legislature sought to root out election fraud in Texas by codifying conduct constituting an election fraud offense, such as unlawfully influencing a voter, casting a ballot under false pretenses, and lying to an election official. There have been calls to further expand the conduct that constitutes election fraud to ensure elections in Texas remain fair and free of fraud. C.S.H.B. 574 seeks to address this issue by expanding the conduct that constitutes election fraud and by increasing the penalty for an election fraud offense.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 574 amends the Election Code to expand the conduct that constitutes election fraud to include knowingly or intentionally making any effort to do the following:

- count invalid votes or alter a report to include invalid votes; or
- fail to count valid votes or alter a report to exclude valid votes.

C.S.H.B. 574 increases the penalty for election fraud from a Class A misdemeanor to a second degree felony.

EFFECTIVE DATE

September 1, 2021

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 574 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.