

SUBJECT: Allowing elections offenses to be prosecuted in adjoining counties

COMMITTEE: Elections — favorable, without amendment

VOTE: 5 ayes — Smith, Burrows, Capriglione, DeAyala, Swanson
4 nays — Bucy, Manuel, E. Morales, Vo

SENATE VOTE: On final passage (April 27) — 19 - 12

WITNESSES: None (*Considered in a formal meeting on May 1*)

BACKGROUND: Some have suggested that allowing an election offense to be prosecuted in a county adjoining the county where the offense occurred could prevent a local prosecutor from inhibiting the prosecution of the offense.

DIGEST: SB 2208 would allow a felony related to an election to be prosecuted in a judicial district adjoining the judicial district in which the offense occurred. A misdemeanor related to a Texas election could be prosecuted in a county adjoining the county in which the offense occurred.

The bill would take effect September 1, 2023, and would apply only to an offense that occurred on or after the effective date.