

## **BILL ANALYSIS**

Senate Research Center

H.B. 574  
By: Bonnen; Goldman (Taylor)  
State Affairs  
4/28/2021  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

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. 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.

H.B. 574 amends current law relating to the elements of the criminal offense of election fraud and increases criminal penalties.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 276.013(a) and (b), Election Code, as follows:

(a) Provides that a person commits an offense if the person knowingly or intentionally makes any effort to, among other actions, count invalid votes that the person knows to be invalid, or alter a report to include invalid votes that the person knows to be invalid, or fail to count valid votes that the person knows to be valid or alter a report to exclude valid votes that the person knows to be invalid. Makes nonsubstantive changes.

(b) Provides that an offense under Section 276.013 (Election Fraud) is a felony of the second degree, rather than a Class A misdemeanor.

SECTION 2. Effective date: September 1, 2021.