

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/27/23

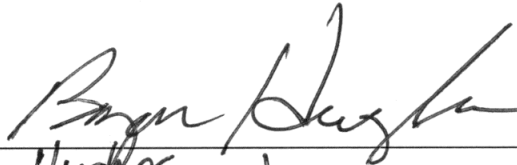
Date

Honorable Dan Patrick
President of the Senate

Honorable Dade Phelan
Speaker of the House of Representatives

Sirs:

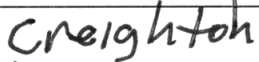
We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 1243 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.




Hughes



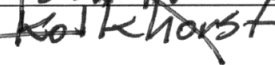
Bligh




Creighton



J.W. Kala



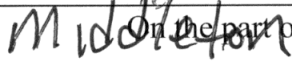
Kalkhorst



West



Mayer




Middleton
On the part of the Senate



Hefner



Hefner



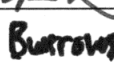
Bucy



Dust Burrows



Burrows



Burrows



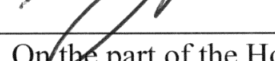
Manuel



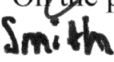
Manuel



Manuel



Manuel



Smith
On the part of the House

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 1243

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the penalty for the offense of illegal voting;
3 increasing a criminal penalty.

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

5 SECTION 1. Section 64.012(b), Election Code, is amended to
6 read as follows:

7 (b) An offense under this section is a felony of the second
8 degree unless the person is convicted of an attempt, in which event
9 it is a state jail felony [~~Class A misdemeanor~~].

10 SECTION 2. The changes in law made by this Act apply only to
11 an offense committed on or after the effective date of this Act. An
12 offense committed before the effective date of this Act is governed
13 by the law in effect when the offense was committed, and the former
14 law is continued in effect for that purpose. For purposes of this
15 section, an offense was committed before the effective date of this
16 Act if any element of the offense occurred before that date.

17 SECTION 3. This Act takes effect September 1, 2023.

House Bill 1243
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 64.012(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 which event it is a state jail felony [~~Class A misdemeanor~~].

SECTION 2. Transition provision.

SECTION 3. This Act takes effect September 1, 2023.

SENATE VERSION (CS)

SECTION 1. Sections 64.012(a) and (b), Election Code, are amended to read as follows:

(a) A person commits an offense if the person knowingly or intentionally:

(1) votes or attempts to vote in an election in which the person knows of a particular circumstance that makes the person [is] not eligible to vote;

(2) votes or attempts to vote more than once in an election;

(3) votes or attempts to vote a ballot belonging to another person, or by impersonating another person;

(4) marks or attempts to mark any portion of another person's ballot without the consent of that person, or without specific direction from that person how to mark the ballot;

or

(5) votes or attempts to vote in an election in this state after voting in another state in an election in which a federal office appears on the ballot and the election day for both states is the same day.

(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 A misdemeanor~~].

SECTION 2. Same as House version.

SECTION 3. This Act takes effect ***immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect*** September 1, 2023.

CONFERENCE

SECTION 1. Same as House version.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 27, 2023

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1243 by Hefner (relating to the penalty for the offense of illegal voting; increasing a criminal penalty.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

The bill would increase the criminal penalty for illegal voting from a Class A misdemeanor to either a state jail felony for attempted illegal voting or second degree felony for illegal voting. It is assumed that any fiscal impact and any impact on state correctional populations or on the demand for state correctional resources would not be significant.

Local Government Impact

It is assumed that any fiscal impact to units of local government associated with enforcement, prosecution, supervision, or confinement would not be significant.

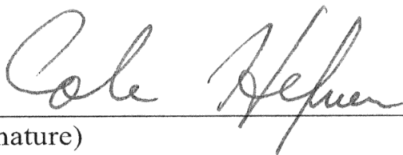
Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 696 Department of Criminal Justice

LBB Staff: JMc, SZ, SMAT, LBO, MOc

**Certification of Compliance with
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order.

I certify that a copy of the conference committee report on HB 1243 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before paper copies of the report were submitted to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.



(Signature)

5/27/23

(Date)