

BILL ANALYSIS

H.B. 3643
By: Swanson
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties report instances in which a person selected to provide assistance to voters coerces or intimidates voters into allowing the person to assist the voter. These parties contend that a requirement for these assistants to take an oath not to intimidate voters will serve as a preventative measure for this behavior and maintain election integrity. H.B. 3643 seeks to diminish instances of voter intimidation by revising the oath required of a person providing assistance to voters and by providing a related penalty.

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

H.B. 3643 amends the Election Code to include in the prescribed oath a person selected to provide assistance to a voter is required to take before providing assistance a statement that the person did not pressure or intimidate the voter in choosing the person to provide assistance.

H.B. 3643 amends the Penal Code to enhance from a Class A misdemeanor to a state jail felony the penalty for perjury if it is shown on the trial of the offense that the offense was a violation of Election Code provisions relating to such an oath and was committed three or more times in a single election.

EFFECTIVE DATE

September 1, 2017.