

BILL ANALYSIS

H.B. 3425
By: Laubenberg
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties express concern regarding the integrity of mail-in ballots and contend that voters need to be protected from individuals seeking to improperly handle their ballots. H.B. 3425 seeks to prevent such improper conduct by creating an 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

H.B. 3425 amends the Election Code to create a state jail felony offense for a person who deposits in the mail or with a common or contract carrier more than two carrier envelopes containing ballots voted by other persons in an election, unless the person is related to the person as an applicant for a ballot to be voted by mail within the second degree by affinity or the third degree by consanguinity or is registered to vote at the same address as the applicant. The bill establishes that it is not a defense to such an offense that the voter voluntarily gave another person possession of the voter's carrier envelope.

EFFECTIVE DATE

September 1, 2017.