

## **BILL ANALYSIS**

Senate Research Center  
76R7195 DRH-D

S.B. 817  
By: Brown  
State Affairs  
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As Filed

### **DIGEST**

Currently, the secretary of state refers complaints of criminal conduct in connection with an election to the attorney general. The Department of Public Safety (DPS) often assists the investigation. S.B. 817 codifies this existing practice by granting the secretary of state the authority to direct the DPS to conduct the investigation, and to prohibit the removal, sorting, or counting of ballots until the polling place has been closed for voting.

### **PURPOSE**

As proposed, S.B. 817 authorizes the secretary of state to direct the Department of Public Safety to conduct an investigation of election fraud.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter 31A, Election Code, by adding Section 31.0061, as follows:

Sec. 31.0060. INVESTIGATION OF COMPLAINT BY DEPARTMENT OF PUBLIC SAFETY. Authorizes the secretary of state to direct the Department of Public Safety (DPS) to conduct an investigation of the complaint, after receiving a complaint alleging a criminal activity in connection with an election. Requires the DPS to report to the secretary of state the results of the investigation.

SECTION 2. Amends Section 127.034, Election Code, by adding Subsection (e), to prohibit the removal, sorting, or counting of ballots under this section until after the polling place is closed for voting.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.