School
La Vernia High School

Senate Committee
Government

Senate Author
Jacob Previtire

House Committee
Elections

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Lobbyist
Field Krause

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Landon Lentz

Election Crimes Prosecution Act

HB 7 – SB 6

Bill Text

A BILL TO BE ENTITLED
AN ACT

relating to the duty of the attorney general to prosecute criminal offenses prescribed by the election laws of this state.

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

SECTION 1. Chapter 402, Government Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. PROSECUTION OF CRIMINAL OFFENSES PRESCRIBED BY STATE ELECTION LAWS

Sec. 402.151. APPLICABILITY. This subchapter applies to a criminal offense under the Election Code.

Sec. 402.152. PROVISION OF INFORMATION TO ATTORNEY GENERAL. (a) A law enforcement agency shall submit to the attorney general any report stating there is probable cause to believe an identified person has committed a criminal offense described by Section 402.151.

(b) A local prosecuting attorney or law enforcement agency shall provide any information requested by the attorney general regarding investigations of criminal offenses described by Section 402.151 to assist the attorney general in performing duties required under this subchapter.

Sec. 402.153. PROSECUTION. Notwithstanding any other law, the attorney general has jurisdiction to prosecute and shall represent the state in the prosecution of a criminal offense described by Section 402.151.

STUDENT LEGISLATIVE SESSION
TEXAS STATE CAPITOL EST. 2003

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SECTION 2. Sections 273.021(a) and (b), Election Code, are amended to read as follows:

(a) The attorney general has jurisdiction to [~~may~~] prosecute and shall represent the state in the prosecution of a criminal offense prescribed by the election laws of this state as provided by Subchapter E, Chapter 402, Government Code.

(b) The attorney general may appear before a grand jury in connection with a criminal [~~an~~] offense the attorney general is authorized to prosecute under Subsection (a).

SECTION 3. Section 273.022, Election Code, is amended to read as follows:

Sec. 273.022. COOPERATION WITH LOCAL PROSECUTOR. The attorney general may direct the county or district attorney serving the county in which the offense is to be prosecuted to prosecute a criminal [~~an~~] offense that the attorney general is authorized to prosecute under Section 273.021 or to assist the attorney general in the prosecution.

SECTION 4. The changes in law made by this Act apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 5. This Act takes effect on January 1, 2027