

SB 952 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Sub-Referral To: Senate Committee On Rules

Meeting Dates: 3/26

WHAT THE MEASURE DOES:

Makes subsequent and intentional violations of election laws a Class C felony. Makes subsequent and intentional violations committed by a public official while acting in official capacity a Class B felony. Increases civil penalties for election law violations if second or subsequent violation. Allows twice the amount of allowed civil penalty for a second or subsequent intentional violation if committed by a public official while acting in an official capacity. Adds \$10,000 civil penalty for election official's failure to comply with an interpretation, instruction, or rule made by the Secretary of State.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Violation of election laws carry both civil and criminal penalties. For example, if a county clerk requests information on a voter registration card that is not required by the state or federal law, it is a class C felony. That same conduct incurs a civil penalty of no more than \$1,000 per violation.

Senate Bill 952 increases both the criminal and civil consequences of subsequent and intentional violations of certain election laws. For criminal violations, a subsequent and intentional violation becomes a Class C felony. The increase in civil violation fines range from \$10,000 to \$125,000. Additionally, the measure elevates the offense level if a subsequent and intentional violation is committed by a public official while acting in an official capacity, making a C felony a B felony and any civil penalty doubles.