

By: Klick, Lang (Senate Sponsor - Hughes)

H.B. No. 2911

(In the Senate - Received from the House May 6, 2019; May 7, 2019, read first time and referred to Committee on State Affairs; May 14, 2019, reported favorably by the following vote: Yeas 9, Nays 0; May 14, 2019, sent to printer.)

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A BILL TO BE ENTITLED  
AN ACT

relating to voter registration.

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

SECTION 1. Section 13.002(i), Election Code, is amended to read as follows:

(i) An applicant who wishes to receive an exemption from the requirements of Section 63.001(b) on the basis of disability must submit ~~[include with the person's application]~~:

(1) written documentation:

(A) from the United States Social Security Administration evidencing the applicant has been determined to have a disability; or

(B) from the United States Department of Veterans Affairs evidencing the applicant has a disability rating of at least 50 percent; and

(2) a statement in a form prescribed by the secretary of state that the applicant does not have a form of identification acceptable under Section 63.0101.

SECTION 2. Section 13.004(c), Election Code, is amended to read as follows:

(c) The following information furnished on a registration application is confidential and does not constitute public information for purposes of Chapter 552, Government Code:

(1) a social security number;

(2) a Texas driver's license number;

(3) a number of a personal identification card issued by the Department of Public Safety;

(4) ~~[an indication that an applicant is interested in working as an election judge;~~

~~[(5)]~~ the residence address of the applicant, if the applicant is a federal judge or state judge, as defined by Section 13.0021, the spouse of a federal judge or state judge, or an individual to whom Section 552.1175, Government Code, applies and the applicant:

(A) included an affidavit with the registration application describing the applicant's status under this subdivision, including an affidavit under Section 13.0021 if the applicant is a federal judge or state judge or the spouse of a federal judge or state judge;

(B) provided the registrar with an affidavit describing the applicant's status under this subdivision, including an affidavit under Section 15.0215 if the applicant is a federal judge or state judge or the spouse of a federal judge or state judge; or

(C) provided the registrar with a completed form approved by the secretary of state for the purpose of notifying the registrar of the applicant's status under this subdivision;

(5) ~~[(6)]~~ the residence address of the applicant, if the applicant, the applicant's child, or another person in the applicant's household is a victim of family violence as defined by Section 71.004, Family Code, who provided the registrar with:

(A) a copy of a protective order issued under Chapter 85, Family Code, or a magistrate's order for emergency

protection issued under Article 17.292, Code of Criminal Procedure; or

(B) other independent documentary evidence necessary to show that the applicant, the applicant's child, or another person in the applicant's household is a victim of family violence;

~~.(6) [(7)]~~ the residence address of the applicant, if the applicant, the applicant's child, or another person in the applicant's household is a victim of sexual assault or abuse, stalking, or trafficking of persons who provided the registrar with:

(A) a copy of a protective order issued under Chapter 7A or Article 6.09, Code of Criminal Procedure, or a magistrate's order for emergency protection issued under Article 17.292, Code of Criminal Procedure; or

(B) other independent documentary evidence necessary to show that the applicant, the applicant's child, or another person in the applicant's household is a victim of sexual assault or abuse, stalking, or trafficking of persons; or

~~.(7) [(8)]~~ the residence address of the applicant, if the applicant:

(A) is a participant in the address confidentiality program administered by the attorney general under Subchapter C, Chapter 56, Code of Criminal Procedure; and

(B) provided the registrar with proof of certification under Article 56.84, Code of Criminal Procedure.

SECTION 3. Section 13.072(d), Election Code, is amended to read as follows:

(d) If an application clearly indicates that the applicant resides in another county, the registrar shall forward the application to the other county's registrar not later than the second day after the date the application is received ~~[and, if the other county is not contiguous, shall deliver written notice of that action to the applicant not later than the seventh day after the date the application is received]~~. The date of submission of a completed application to the wrong registrar is considered to be the date of submission to the proper registrar for purposes of determining the effective date of the registration.

SECTION 4. Section 13.142(a), Election Code, is amended to read as follows:

(a) After approval of a registration application, the registrar shall:

(1) prepare a voter registration certificate ~~[in duplicate]~~ and issue the original certificate to the applicant; and

(2) enter the applicant's county election precinct number and registration number on the applicant's registration application.

SECTION 5. Section 13.143(d-2), Election Code, is amended to read as follows:

(d-2) For a registration application submitted by telephonic facsimile machine to be effective, a copy of the original registration application containing the voter's original signature must be submitted by personal delivery or mail and be received by the registrar not later than the fourth business day after the transmission by telephonic facsimile machine is received.

SECTION 6. Section 15.001(a), Election Code, is amended to read as follows:

(a) Each voter registration certificate issued must contain:

(1) the voter's name in the form indicated by the voter, subject to applicable requirements prescribed by Section 13.002 and by rule of the secretary of state;

(2) the voter's residence address or, if the residence has no address, the address at which the voter receives mail and a concise description of the location of the voter's residence;

- (3) the ~~[month, day, and]~~ year of the voter's birth;
- (4) the number of the county election precinct in which the voter resides;
- (5) the voter's effective date of registration if an initial certificate;
- (6) the voter's registration number;
- (7) an indication of the period for which the certificate is issued;
- (8) a statement explaining the circumstances under which the voter will receive a new certificate;
- (9) a space for stamping the voter's political party affiliation;
- (10) a statement that voting with the certificate by a person other than the person in whose name the certificate is issued is a felony;
- (11) a space for the voter's signature;
- (12) a statement that the voter must sign the certificate personally, if able to sign, immediately on receipt;
- (13) a space for the voter to correct the information on the certificate followed by a signature line;
- (14) the statement: "If any information on this certificate changes or is incorrect, correct the information in the space provided, sign below, and return this certificate to the voter registrar.";
- (15) the registrar's mailing address and telephone number; and
- (16) the jurisdictional or distinguishing number for the following territorial units in which the voter resides, as determined by the voter registrar:
  - (A) congressional district;
  - (B) state senatorial district;
  - (C) state representative district;
  - (D) commissioners precinct;
  - (E) justice precinct;
  - (F) city election precinct; and
  - (G) school district election precinct.

SECTION 7. Section 15.022(a), Election Code, is amended to read as follows:

(a) The registrar shall make the appropriate corrections in the registration records, including, if necessary, deleting a voter's name from the suspense list:

- (1) after receipt of a notice of a change in registration information under Section 15.021;
- (2) after receipt of a voter's reply to a notice of investigation given under Section 16.033;
- (3) after receipt of any affidavits executed under Section 63.006, following an election;
- (4) after receipt of a voter's statement of residence executed under Section 63.0011;
- (5) before the effective date of the abolishment of a county election precinct or a change in its boundary;
- (6) after receipt of United States Postal Service information indicating an address reclassification;
- (7) after receipt of a voter's response under Section 15.053; ~~[or]~~
- (8) after receipt of a registration application or change of address under Chapter 20; or
- (9) on discovering a data entry error has been made.

SECTION 8. Section 15.023, Election Code, is amended to read as follows:

Sec. 15.023. TIME FOR CERTAIN DELETIONS FROM SUSPENSE LIST. If the name of a voter ~~[whose residence is changed]~~ on the list of registered voters ~~[registration records to another county election precinct in the same county]~~ appears on the suspense list, the voter's name shall be deleted from the list on the date the voter

provides a completed application to register to vote in accordance with Section 13.002 ~~[voter's registration in the precinct of new residence becomes effective]~~.

SECTION 9. Section 15.051(d), Election Code, is amended to read as follows:

(d) The registrar shall maintain with the voter's record an indication that a confirmation notice was sent to the voter ~~[a list of the confirmation notices mailed to voters, which for each notice must include the voter's name and the date the notice is mailed. The registrar shall maintain and retain the list in accordance with rules prescribed by the secretary of state]~~.

SECTION 10. Section 15.053(a), Election Code, is amended to read as follows:

(a) ~~The~~ ~~[Not later than the 30th day after the date a confirmation notice is mailed, the]~~ voter shall submit to the registrar a written, signed response to the notice that confirms the voter's current residence. The response must contain all of the information that a person must include in an application to register to vote under Section 13.002.

SECTION 11. Section 15.082(b), Election Code, is amended to read as follows:

(b) The ~~[fee for each]~~ list shall be provided in accordance with Chapter 552, Government Code ~~[or portion of a list furnished under this section may not exceed the actual expense incurred in reproducing the list or portion for the person requesting it and shall be uniform for each type of copy furnished. The registrar shall make reasonable efforts to minimize the reproduction expenses]~~.

SECTION 12. Section 16.031(a), Election Code, is amended to read as follows:

(a) The registrar shall cancel a voter's registration immediately on receipt of:

(1) notice under Section 13.072(b), ~~or~~ 15.021, or 18.0681(d) or a response under Section 15.053 that the voter's residence is outside the county;

(2) an abstract of the voter's death certificate under Section 16.001(a) or an abstract of an application indicating that the voter is deceased under Section 16.001(b);

(3) an abstract of a final judgment of the voter's total mental incapacity, partial mental incapacity without the right to vote, conviction of a felony, or disqualification under Section 16.002, 16.003, or 16.004;

(4) notice under Section 112.012 that the voter has applied for a limited ballot in another county;

(5) notice from a voter registration official in another state that the voter has registered to vote outside this state;

(6) notice from the early voting clerk under Section 101.053 that a federal postcard application submitted by an applicant states a voting residence address located outside the registrar's county; or

(7) notice from the secretary of state that the voter has registered to vote in another county, as determined by the voter's driver's license number or personal identification card number issued by the Department of Public Safety or social security number.

SECTION 13. Section 16.032, Election Code, is amended to read as follows:

Sec. 16.032. CANCELLATION FOLLOWING END OF SUSPENSE LIST PERIOD. If on November 30 following the second general election for state and county officers that occurs after the date the voter's name is entered on the suspense list a registered voter's name appears on the suspense list, the registrar shall cancel the voter's registration unless the name is to be deleted from the list under Section 15.022 or 15.023.

SECTION 14. Sections 16.0921(a) and (b), Election Code, are amended to read as follows:

(a) Except as provided by Subsection (c), on the filing of a sworn statement under Section 16.092 alleging a ground based on residence, the registrar shall promptly deliver to the voter whose registration is challenged a confirmation notice in accordance with Section 15.051, unless the residential address provided in the challenge for the voter is different from the voter's current residential address indicated on the registration records.

(b) If the voter is delivered a confirmation notice ~~[fails to submit a response to the registrar in accordance with Section 15.053]~~, the registrar shall enter the voter's name on the suspense list.

SECTION 15. Section 18.002(c), Election Code, is amended to read as follows:

(c) An additional copy of each list shall be furnished for use in early voting and as needed in order to ensure all voters eligible to vote in an election appear correctly on the original list.

SECTION 16. Section 18.003(c), Election Code, is amended to read as follows:

(c) An additional copy of each list shall be furnished for use in early voting and as needed in order to ensure all voters eligible to vote in an election appear correctly on the original list.

SECTION 17. Section 18.005(a), Election Code, is amended to read as follows:

(a) Each original and supplemental list of registered voters must:

- (1) contain the voter's name, date of birth, and registration number as provided by the statewide computerized voter registration list;
- (2) contain the voter's residence address, except as provided by Subsections (b) and (c) ~~[or Section 18.0051]~~;
- (3) be arranged alphabetically by voter name; and
- (4) contain the notation required by Section 15.111.

SECTION 18. Sections 18.061(b) and (d), Election Code, are amended to read as follows:

(b) The statewide computerized voter registration list must:

- (1) contain the name and registration information of each voter registered in the state;
- (2) assign a unique identifier to each registered voter; and
- (3) be available to any county election official in the state through immediate electronic access.

(d) The secretary of state may contract with counties to provide them with electronic data services to facilitate the implementation and maintenance of the statewide computerized voter registration list. The secretary shall use funds collected under the contracts to defray expenses incurred in implementing and maintaining the statewide computerized voter registration list.

SECTION 19. Section 18.069, Election Code, is amended to read as follows:

Sec. 18.069. VOTING HISTORY. Not later than the 30th day after the date of the primary, runoff primary, or general election or any special election ordered by the governor, the general custodian of election records ~~[registrar]~~ shall electronically submit to the secretary of state the record of each voter participating in the election. The record must include a notation of whether the voter voted on election day, voted early by personal appearance, voted early by mail under Chapter 86, or voted early by mail under Chapter 101.

SECTION 20. Section 18.0681(d), Election Code, is amended to read as follows:

(d) If the secretary of state determines that a voter on the registration list has more than one registration record on file based on a strong match, the secretary shall send notice of the determination to the voter registrar of the [each] county with the oldest registration record in which the voter is registered to vote. If the voter records identified are:

(1) located in the same county, the voter registrar may merge the records following a determination that each record belongs to the same voter using the procedure for the correction of registration records under Section 15.022; or

(2) located in more than one county, the registrar of the county with the oldest record may deliver a written confirmation notice in accordance with Section 15.051 or cancel the registration of the voter in accordance with Section 16.031(a)(1), provided that the voter's record in the county with the newest registration record is not on the suspense list.

SECTION 21. The following provisions of the Election Code are repealed:

- (1) Sections 15.082(c) and (d);
- (2) Subchapter F, Chapter 15;
- (3) Section 18.0051; and
- (4) Section 18.008(c).

SECTION 22. This Act takes effect September 1, 2019.

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