

SUBJECT: Use of voters' surnames on voter registration certificates

COMMITTEE: Elections - favorable, without amendment

VOTE: 8 ayes — Danburg, Madden, Crabb, Denny, Ehrhardt, Hill, J. Jones, Munoz  
0 nays  
1 absent — Staples

WITNESSES: None

DIGEST: HB 1914 would amend Election Code sec. 15.001 to require that a voter registration card contain the voter's name in the form requested by the voter, subject to applicable requirements. The bill would take effect September 1, 1995.

SUPPORTERS SAY: This bill is important to individuals, especially women who legally change their names upon marriage or remarriage and want to be known on their voter card as they are known elsewhere. Current law is ambiguous and needs clarification in order to provide uniformity throughout Texas. Many county voter registrars keep as part of their data systems all of a woman's surnames, including her maiden name. In these counties, if a woman gets divorced and remarried, her maiden name may appear on her voter registration card along with her former husband's surname and her new married name. This presents an awkward and unnecessary inconvenience.

OPPONENTS SAY: The purpose of this legislation can be accomplished through the secretary of state's rulemaking authority. The National Motor Voter Act prohibits voter registrars from requiring that women give their maiden names in order to receive voter registration certificates. The Texas Secretary of State's Office will be sending out directives to all registrars in the near future that they may no longer require women to provide their maiden or former married surnames when applying for voter registration certificates.

OTHER OPPONENTS SAY: HB 1914 as currently drafted is unclear. The phrase "subject to applicable requirements" is ambiguous and subject to a variety of interpretations.

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NOTES: Rep. Solomons said he plans to offer an amendment to clarify the bill's provisions.