

SUBJECT: Revising the qualifications for volunteer deputy voter registrars

COMMITTEE: Elections — favorable, without amendment

VOTE: 5 ayes — Denny, Bohac, Anchia, Anderson, Hughes
0 nays
2 absent — J. Jones, T. Smith

WITNESSES: For — (*Registered but did not testify*: Dana DeBeauvoir, Legislative Committee of the Texas County and District Clerks Assoc.; MerryLynn Gerstenschlager, Texas Eagle Forum)

Against — Alison Brock, Unlock Your Vote Campaign, LULAC, ACLU, NAACP

On — Elizabeth Winn Hanshaw, Sec. of State

BACKGROUND: Under Election Code, sec. 13.031(d), the only eligibility requirement that a person must meet to become a volunteer deputy registrar is to be 18 years of age or older.

In appointing a volunteer deputy registrar, a registrar may not refuse to appoint a resident of the county served by the registrar nor any person on the basis of sex, race, creed, color, or national origin or ancestry.

DIGEST: HB 1270 would require for eligibility to serve as a volunteer deputy registrar, in addition to the age requirement, that a person be a United States citizen and not have been determined mentally incompetent by a court. A person also must not have been convicted of a felony, unless, following conviction, the person had:

- completed the sentence, including any period of parole or supervision; or
- been pardoned or otherwise regained the ability to vote.

The bill would remove the language prohibiting the registrar from refusing to appoint any resident of the county and instead would specify

that a person who met all the above requirements could not be refused appointment.

The bill would take effect September 1, 2005, and would apply to the appointment of a volunteer deputy registrar made on or after this date.

**SUPPORTERS
SAY:**

HB 1270 would harmonize the volunteer deputy registrar eligibility requirements with those of voters. A person who registers people to vote also should be eligible to vote. The qualifications stipulated in the bill would match the qualifications to vote in Texas.

Volunteer deputy registrars have access to registration applications, which contain voters' personal identification information, and are responsible for ensuring that the applications are submitted on time to the proper location. HB 1270 would tighten the requirements for becoming a volunteer deputy registrar to ensure that those currently serving felony sentences did not have access to these records or this responsibility. It is important that felons on parole have an opportunity to serve the community and re-integrate themselves back into society. However, there are many community service opportunities open for them to participate in other than becoming a deputy registrar, which deals with confidential identification information and often requires volunteers to go door-to-door.

**OPPONENTS
SAY:**

This bill would not fix the problems currently associated with volunteer deputy registrars. Instead, it unnecessarily would limit the pool of potential volunteers. It can be difficult to find people who are courteous and helpful to serve as volunteer deputy registrars, a problem that would not be solved by eliminating non-U.S. citizens and convicted felons from consideration.

Positive experiences interacting with the public and helping in their communities are excellent ways to provide individuals on felony probation and parole a successful segue back into society. HB 1270 would create one more obstacle for these individuals.