

- SUBJECT:** Requiring a specific reason for rejecting a voter registration application
- COMMITTEE:** Elections — committee substitute recommended
- VOTE:** 4 ayes — Laubenberg, Goldman, Phelan, Reynolds
- 2 nays — Fallon, Schofield
- 1 absent — Israel
- WITNESSES:** For — Jacquelyn Callanen, Bexar County Elections Administrator, Texas Association of Elections Administrators; Glen Maxey, Texas Democratic Party; (*Registered, but did not testify:* Victor Cornell, American Civil Liberties Union of Texas; Jesse Romero, Common Cause Texas; Kat Swift, Green Party of Texas; Chris Frandsen, League of Woman Voters of Texas; Dana DeBeauvoir, Legislative Committee of County and District Clerks Association of Texas; Yannis Banks, Texas NAACP; William Fairbrother, Texas Republican County Chairmen’s Association, Legislative Chair; Mike Conwell; Brandon Moore)
- Against — Alan Vera, Harris County Republican Party Ballot Security Committee; (*Registered, but did not testify:* Rachael Crider, Cheryl Johnson, and Sheryl Swift, Galveston County Tax Office; Willie O’Brien, Mountain View College Student Government Association; Erin Anderson, True the Vote; John Hobson; Karen Hobson; Carol Kitson; Colleen Vera)
- On — (*Registered, but did not testify:* Ashley Fischer, Texas Secretary of State; Keith Ingram, Texas Secretary of State, Elections Division)
- BACKGROUND:** Election Code, sec. 13.073 requires a voter registrar to give an applicant whose registration application was rejected oral or written notice of the reason for the rejection. Written notice must be delivered no later than the second day after the date of rejection.
- DIGEST:** CSHB 258 would require the voter registrar to identify in an oral or written notice of rejection of a registration application which section or

sections of the application resulted in the rejection of the application. The registrar would be required to specify if an identified section was incomplete, improperly filled out, or contained information that identified the applicant as ineligible to vote.

In the case of written notice, the registrar would use the official form prescribed by the secretary of state. The secretary of state would prescribe the procedures and forms necessary for implementation.

The bill would take effect September 1, 2015.

**SUPPORTERS
SAY:**

CSHB 258 would help safeguard the rights of voters and ensure the integrity of the voting process. Many rejected applicants currently receive vague, non-specific information in form letters that does not assist them in reapplying successfully. The voter registration form can be confusing, and a mistake as simple as forgetting to check a box can result in a rejection. This can lead applicants to commit the same mistake repeatedly and experience delays and frustration in their attempts to register to vote. The bill would increase success rates for applicants by informing them of what they were doing incorrectly.

The bill would be easy to implement because it merely would require an update to the existing rejection notice form, which already must be sent to any person whose application was rejected. The bill would help ensure that applicants were successful on their second attempts to register, thereby eliminating the need to send out multiple rejection letters.

The bill also would help ensure that voter registrars remained in compliance with the law, while shielding counties against litigation for violations of the Election Code. Concerns that litigation might increase because the registrar might not be able to respond in time to a flood of voter registration applicants immediately before the deadline are unwarranted. The Election Code already requires that a rejection letter be sent to applicants who do not sufficiently complete the form. The bill simply would require an update to the rejection form letter already in use.

OPPONENTS
SAY:

CSHB 258 would be unnecessary and redundant because the voter registrar already sends applicants a notice of rejection. The bill would complicate the process by requiring the registrar to point out a specific reason for rejection. Requiring the registrar to mail out thousands of personalized letters with specific information would be a costly and unnecessary burden on the county.

The bill would be unworkable because voter registrations applications are not submitted in a steady fashion throughout the year. Instead, as the deadline for voter registration approaches, the volume of applications increases. In larger counties, this could create a perfect storm for litigation because if the voter registrar did not reply in time for the voter to make the corrections, these individuals could have a cause of action for litigation.