

BILL ANALYSIS

Senate Research Center

H.B. 1645
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Jurisprudence
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Engrossed

DIGEST

Current Texas law states that when a person applies for a Texas driver's license or Department of Public Safety (DPS) personal identification card, that person shall at the same time be given the opportunity to register to vote. According to DPS, over 50 percent of Texas driver's licenses issued in counties that border Mexico are issued to non-U.S. citizens. Therefore, many non-U.S. citizens, both legal and illegal aliens, begin the process for being registered to vote in Texas, often without realizing they are violating the law by doing so.

PURPOSE

As proposed, H.B. 1645 would assist in removing non-U.S. Citizens from voter registration rolls.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 62B, Government Code, by adding Section 62.113, as follows:

Sec. 62.113. COMPILATION OF LIST NONCITIZENS. Requires the clerk of the court to maintain a list of the name and address of each person who is excused or disqualified under this subchapter from jury service because the person is not a citizen of the United States. Requires the clerk, on the third business day of each month, to send a copy of the list of persons excused or disqualified because of citizenship in the previous month to the voter registrar of the county. Prohibits a list compiled under this section from being used for a purpose other than a purpose described by Subsection (b) or Section 16.0332, Election Code. Provides that a person commits a Class C misdemeanor if the person violates Subsection (c).

SECTION 2. Amends Chapter 16B, Election Code, by adding Section 16.0332, as follows:

Sec. 16.0332. CANCELLATION BECAUSE OF CITIZENSHIP STATUS. Requires the registrar, after the registrar receives a list under Section 62.113, Government Code, of persons excused or disqualified from jury service because of citizenship status, to deliver to each registered voter who appears on the list a written notice requiring the voter to provide proof of United States citizenship in a form prescribed by the secretary of state. Requires the notice to be delivered by forwardable mail to the mailing address on the voter's registration application and to any new address of the voter known to the registrar. Requires the registrar, if a voter fails to provide the registrar with proof of citizenship before the 31st day after the date the notice is mailed to the voter, to cancel the voter's registration. Requires the registrar to retain a copy of the notice mailed to a voter under this section on file with the voter's registration application. Requires the registrar to also retain any proof of citizenship received under this section on file with the application.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.