

BILL ANALYSIS

Senate Research Center

S.B. 1086
By: Patterson
State Affairs
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As Filed

DIGEST

Currently, persons may enter a polling location with no voter registration, no identification, their names absent from the voter registrar's list of qualified voters, and still vote if they sign a general affidavit. However, problems have arisen when voters are discovered to be fraudulent at a later date and cannot be located, making prosecution impossible. This legislation requires anyone wishing to vote but not having any identification or proof of residence to sign a general affidavit and thumbprint the affidavit, in an attempt to better protect against voter fraud.

PURPOSE

As proposed, S.B. 1086 establishes the procedure for voting without a voter registration certificate.

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 Section 63.010, Election Code, by amending Subsection (d) and adding Subsection (g), to require the secretary of state to prescribe procedures requiring the thumbprint of each person who votes by affidavit under this section and does not present proof of identification. Requires the thumbprint to be on a form that is part of or attached to the affidavit. Authorizes the procedures to provide an alternative method if a thumbprint is not available. Prohibits a person who does not comply with the procedures adopted under this subsection from being accepted for voting.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.