

BILL ANALYSIS

Senate Research Center
86R10495 GRM-D

H.B. 2911
By: Klick; Lang (Hughes)
State Affairs
5/12/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2911 amends current law relating to voter registration.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 13.002(i), Election Code, to require an applicant who wishes to receive an exemption from the requirements of Section 63.001(b) (relating to requiring a voter to present certain identification) on the basis of disability to submit, rather than to include with the person's application, certain information.

SECTION 2. Amends Section 13.004(c), Election Code, as follows:

(c) Deletes existing text providing that an indication that an applicant is interested in working as an election judge furnished on a registration application is confidential and does not constitute public information for purposes of Chapter 552 (Public Information), Government Code. Redesignates existing text of Subdivision (5) as Subdivision (4) and renumbers subsequent subdivisions accordingly.

SECTION 3. Amends Section 13.072(d), Election Code, to require the registrar, if an application clearly indicates that the applicant resides in another county, to forward the application to the other county's registrar not later than the second day after the date the application is received. Deletes existing text requiring the registrar, if the other county is not contiguous, to deliver written notice of that action to the applicant not later than the seventh day after the date the application is received.

SECTION 4. Amends Section 13.142(a), Election Code, to require the registrar, after approval of a registration application, to prepare a voter registration certificate, rather than prepare a voter registration in duplicate, and issue the original certificate to the applicant.

SECTION 5. Amends Section 13.143(d-2), Election Code, to require a copy of the original registration application containing the voter's original signature, for a registration application submitted by telephonic facsimile machine to be effective, to be submitted by personal delivery or mail and be received by the registrar not later than the fourth business day after the transmission by telephonic facsimile machine is received, rather than requiring a copy of the registration application to be submitted by mail and be received by the registrar not later than fourth business day after the transmission by telephonic facsimile machine is received.

SECTION 6. Amends Section 15.001(a), Election Code, to require each voter registration certificate issued to contain certain information, including the year of the voter's birth, rather than the month, day, and year of the voter's birth.

SECTION 7. Amends Section 15.022(a), Election Code, to require the registrar to make the appropriate corrections in the registration records, including, if necessary, deleting a voter's name from the suspense list on discovering a data entry error has been made.

SECTION 8. Amends Section 15.023, Election Code, as follows:

Sec. 15.023. TIME FOR CERTAIN DELETIONS FROM SUSPENSE LIST. Requires the voter's name, if the name of a voter on the list of registered voters appears on the suspense list, to be deleted from the list on the date the voter provides a completed application to register to vote in accordance with Section 13.002 (Application Required), rather than requiring the voter's name, if the name of a voter whose residence is changed on the registration records to another county election precinct in the same county appears on the suspense list, to be deleted from the list on the date the voter's registration in the precinct of the new residence becomes effective.

SECTION 9. Amends Section 15.051(d), Election Code, as follows:

(d) Requires the registrar to maintain with the voter's record an indication that a confirmation notice was sent to the voter, rather than requiring the registrar to maintain a list of the confirmation notices mailed to voters, which for each notice must include the voter's name and the date the notice is mailed. Deletes existing text requiring the registrar to maintain and retain the list in accordance with rules prescribed by the secretary of state (SOS).

SECTION 10. Amends Section 15.053(a), Election Code, to require the voter, rather than requiring the voter not later than the 30th day after the date a confirmation notice is mailed, to submit to the registrar a written, signed response to the notice that confirms the voter's current residence.

SECTION 11. Amends Section 15.082(b), Election Code, as follows:

(b) Requires the suspense list to be provided in accordance with Chapter 552, Government Code, rather than prohibiting the fee for each list or portion of a list furnished under this section (Availability of Registrar's List) from exceeding the actual expense incurred in reproducing the list or portion for the person requesting it and requiring the fee to be uniform for each type of copy furnished. Deletes existing text requiring the registrar to make reasonable efforts to minimize the reproduction expenses.

SECTION 12. Amends Section 16.031(a), Election Code, as follows:

(a) Requires the registrar to cancel a voter's registration immediately on receipt of:

(1) notice under Section 13.072(b) (relating to requiring the registrar to deliver written notice of the applicant's change of certain information), 15.021 (Notice of Change in Registration Information by Voter), or 18.0681(d) (relating to requiring SOS to send notice of a certain determination to the voter registrar of each county in which the voter is registered to vote) or a response under Section 15.053 (Response to Confirmation Notice) that the voter's residence is outside the county, rather than notice under Section 13.072(b) or 15.021 or a response under Section 15.053 that the voter's residence is outside the county; or

(2)–(7) makes no changes to these subdivisions.

SECTION 13. Amends Section 16.032, Election Code, as follows:

Sec. 16.032. CANCELLATION FOLLOWING END OF SUSPENSE LIST PERIOD. Requires the registrar, if on November 30 following the second general election for state and county officers that occurs after the date the voter's name is entered on the suspense list a registered voter's name appears on the suspense list, to cancel the voter's registration

unless the name is to be deleted from the list under Section 15.022 (Correction of Registration Records) or 15.023, rather than under Section 15.023.

SECTION 14. Amends Sections 16.0921(a) and (b), Election Code, to require the registrar, except as provided by Subsection (c), on the filing of a sworn statement under Section 16.092 (Sworn Statement Required) alleging a ground based on residence, to promptly deliver to the voter whose registration is challenged a confirmation notice in accordance with Section 15.051 (Confirmation Notice), unless the residential address provided in the challenge for the voter is different from the voter's current residential address indicated on the registration records.

SECTION 15. Amends Section 18.002(c), Election Code, to require an additional copy of each supplemental list of registered voters to be furnished for use in early voting and as needed in order to ensure all voters eligible to vote in an election appear correctly on the original list, rather than to be furnished for use in early voting.

SECTION 16. Amends Section 18.003(c), Election Code, to require an additional copy of each registration correction list to be furnished for use in early voting and as needed in order to ensure all voters eligible to vote in an election appear correctly on the original list, rather than to be furnished for use in early voting.

SECTION 17. Amends Section 18.005(a), Election Code, to require each original and supplemental list of registered voters to contain certain information, including the voter's residence address, except as provided by Subsections (b) (relating to procedures for a voter whose residence has no address) and (c) (relating to prohibiting the address of judges or spouses of judges from being disclosed), rather than except as provided by Subsections (b) and (c) or Section 18.0051 (Contents of List: Substitute Address).

SECTION 18. Amends Sections 18.061(b) and (d), Election Code, as follows:

(b) Requires the statewide computerized voter registration list to:

(1)–(2) makes no changes to these subdivisions; and

(3) be available to any county election official, rather than any election official, in the state through immediate electronic access.

(d) Authorizes SOS to contract with counties to provide them with electronic data services to facilitate the implementation and maintenance, rather than implementation, of the statewide computerized voter registration list. Requires SOS to use funds collected under the contracts to defray expenses incurred in implementing and maintaining, rather than implementing, the statewide computerized voter registration list.

SECTION 19. Amends Section 18.069, Election Code, as follows:

Sec. 18.069. VOTING HISTORY. Requires the general custodian of election records, rather than the registrar, not later than the 30th day after the date of the primary, runoff primary, or general election or any special election ordered by the governor, to electronically submit to SOS the record of each voter participating in the election.

SECTION 20. Amends Section 18.0681(d), Election Code, as follows:

(d) Requires SOS, if SOS determines that a voter on the registration list has more than one registration record on file based on a strong match, to send notice of the determination to the voter registrar of the county with the oldest registration record in which the voter is registered to vote, rather than to the voter registrar of each county in which the voter is registered to vote. Provides that if the voter records identified are:

(1) makes no changes to this subdivision; or

(2) located in more than one county, the registrar of the county with the oldest record is authorized to deliver a written confirmation notice in accordance with Section 15.051 or cancel the registration of the voter in accordance with Section 16.031(a)(1), provided that the voter's record in the county with the newest registration record is not on the suspense list, rather than deliver a written confirmation notice in accordance with Section 15.051.

SECTION 21. Repealers: Sections 15.082(c) (relating to requiring the copy of the suspense list, if the list is recorded on magnetic tape, to be furnished in the form of a tape or printout) and (d) (relating to requiring the registrar to use fees to defray expenses incurred in the preparation of the copy), Election Code.

Repealer: Subchapter F (Certificate Files), Chapter 15, Election Code.

Repealer: Section 18.0051 (Contents of List: Substitute Address), Election Code.

Repealer: Section 18.008(c) (relating to requiring the copy of a certain registration list, if the list is recorded on magnetic tape, to be furnished in the form of a tape or printout), Election Code.

SECTION 22. Effective date: September 1, 2019.