

BILL ANALYSIS

Senate Research Center
88R3914 JON-D

S.B. 260
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As Texas law exists today in Section 15.051, Election Code, a voter registrar must send a confirmation notice to a voter if the registrar notices that the voter's registration address is a commercial post office box (as added by Senator Bettencourt's S.B. 1111 in 2021), or if the registrar has any reason to believe the voter's current residential address is different from that indicated on records. If a voter does not properly respond to the confirmation notice they are placed on the Suspense List and marked with an "S" next to their name. They are unable to cast a ballot without proving residence using a form described by Section 15.054.

In addition to this procedure, S.B. 260 would require a voter registrar to send a confirmation notice to a voter who on November 30th following a general election had not voted in the previous 25 months. This would mirror Ohio legislation, in that in that it would cancel a voter's registration if the voter fails to respond to a confirmation notice and has not voted or updated the voter's registration two general elections occurring after the confirmation notice was mailed. The language of S.B. 260 follows closely to that of Ohio which was upheld by the United States Supreme Court in *Husted vs Randolph Institute* argued before the court in 2018.

As proposed, S.B. 260 amends current law relating to confirmation of a voter's residence by a voter registrar.

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 15.051(a), Election Code, as follows:

(a) Requires the registrar to deliver to a voter a written confirmation notice requesting a confirmation of the voter's current residence if:

(1) the voter's residence address is a commercial post office box or similar location that does not correspond to a residence;

(2) on November 30 following a general election:

(A) the voter's name is not on the suspense list; and

(B) the voter has not voted in any election during the previous 25 months;
or

(3) the registrar has any other reason to believe that a voter's current residence is different from that indicated on the registration records.

Deletes existing text requiring the registrar, if the registrar has reason to believe that a voter's current residence is different from that indicated on the registration records, or that the voter's residence address is a commercial post office box or similar location that does

not correspond to a residence, to deliver the voter a written confirmation notice requesting confirmation of the voter's current residence.

SECTION 2. Effective date: September 1, 2023.