

By: West

S.B. No. 35

A BILL TO BE ENTITLED

AN ACT

relating to automatic voter registration of students enrolled in public institutions of higher education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 13, Election Code, is amended by adding Section 13.010 to read as follows:

Sec. 13.010. VOTER REGISTRATION THROUGH INSTITUTIONS OF HIGHER EDUCATION. (a) The voter registrar of each county shall automatically register any county resident who is eligible to vote as provided by Section 13.001 and is enrolled in an institution of higher education as defined by Section 61.003, Education Code.

(b) A student's application for enrollment in an institution of higher education with an indication provided by Section 20.133(b) that the enrollment is not for voter registration purposes is not subject to this section.

(c) The secretary of state shall adopt rules and prescribe procedures for the implementation of this section.

SECTION 2. Section 20.001, Election Code, is amended by adding Subsection (f) to read as follows:

(f) Each institution of higher education, as defined by Section 61.003, Education Code, is designated as a voter registration agency.

SECTION 3. Chapter 20, Election Code, is amended by adding Subchapter F to read as follows:

1 SUBCHAPTER F. INSTITUTIONS OF HIGHER EDUCATION

2 Sec. 20.131. DEFINITION. In this subchapter, "institution
3 of higher education" has the meaning assigned by Section 61.003,
4 Education Code.

5 Sec. 20.132. APPLICABILITY OF OTHER PROVISIONS. The other
6 provisions of this chapter apply to an institution of higher
7 education except provisions that conflict with this subchapter or
8 Section 13.010.

9 Sec. 20.133. REGISTRATION PROCEDURES. (a) An institution
10 of higher education shall consider each person of voting age who
11 enrolls at the institution an applicant for voter registration,
12 except as otherwise indicated by the person.

13 (b) An institution of higher education shall prescribe and
14 use a form and procedure that combines the institution's
15 application for enrollment with an officially prescribed voter
16 registration application form. The form and procedure must include
17 the option for an applicant to provide an appropriate address at the
18 time of enrollment in the institution. The form must allow an
19 applicant to indicate that the applicant does not wish the
20 applicant's enrollment to be used for voter registration purposes.

21 (c) The design, content, and physical characteristics of
22 the institution's forms must be approved by the secretary of state.

23 Sec. 20.134. RULES. The secretary of state shall prescribe
24 additional procedures as necessary to implement this subchapter.

25 SECTION 4. This Act takes effect on the 91st day after the
26 last day of the legislative session.