

By: González of Dallas

H.B. No. 483

A BILL TO BE ENTITLED

AN ACT

relating to voter registration.

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

SECTION 1. Sections 13.004(a) and (d), Election Code, are amended to read as follows:

(a) The registrar may not transcribe, copy, or otherwise record a telephone number or e-mail address furnished on a registration application.

(d) The voter registrar or other county official who has access to the information furnished on a registration application may not post the following information on a website:

(1) a telephone number or e-mail address;

(2) a social security number;

(3) a driver's license number or a number of a personal identification card;

(4) a date of birth; or

(5) the residence address of a voter who submits documentation under Subsection (c)(6), (7), (8), or (9) [~~(c)(5), (6), (7), or (8)~~] to the voter registrar or regarding whom the registrar has received notification under Section 15.0215.

SECTION 2. Section 13.004(c), Election Code, as amended by Chapters 469 (H.B. 4173), 489 (H.B. 3100), and 1146 (H.B. 2910), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

1 (c) The following information furnished on a registration
2 application is confidential and does not constitute public
3 information for purposes of Chapter 552, Government Code:

4 (1) a social security number;

5 (2) a Texas driver's license number;

6 (3) a number of a personal identification card issued
7 by the Department of Public Safety;

8 (4) an indication that an applicant is interested in
9 working as an election judge;

10 (5) a telephone number or e-mail address;

11 (6) the residence address of the applicant, if the
12 applicant is a federal judge or state judge, the spouse of a federal
13 judge or state judge, the spouse of a peace officer as defined by
14 Article 2.12, Code of Criminal Procedure, or an individual to whom
15 Section 552.1175, Government Code, or Section 521.1211,
16 Transportation Code, applies and the applicant:

17 (A) included an affidavit with the registration
18 application describing the applicant's status under this
19 subdivision, if the applicant is a federal judge or state judge or
20 the spouse of a federal judge or state judge;

21 (B) provided the registrar with an affidavit
22 describing the applicant's status under this subdivision, if the
23 applicant is a federal judge or state judge or the spouse of a
24 federal judge or state judge; or

25 (C) provided the registrar with a completed form
26 approved by the secretary of state for the purpose of notifying the
27 registrar of the applicant's status under this subdivision;

1 (7) [~~(6)~~] the residence address of the applicant, if
2 the applicant, the applicant's child, or another person in the
3 applicant's household is a victim of family violence as defined by
4 Section 71.004, Family Code, who provided the registrar with:

5 (A) a copy of a protective order issued under
6 Chapter 85, Family Code, or a magistrate's order for emergency
7 protection issued under Article 17.292, Code of Criminal Procedure;
8 or

9 (B) other independent documentary evidence
10 necessary to show that the applicant, the applicant's child, or
11 another person in the applicant's household is a victim of family
12 violence;

13 (8) [~~(7)~~] the residence address of the applicant, if
14 the applicant, the applicant's child, or another person in the
15 applicant's household is a victim of sexual assault or abuse,
16 stalking, or trafficking of persons who provided the registrar
17 with:

18 (A) a copy of a protective order issued under
19 Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a
20 magistrate's order for emergency protection issued under Article
21 17.292, Code of Criminal Procedure; or

22 (B) other independent documentary evidence
23 necessary to show that the applicant, the applicant's child, or
24 another person in the applicant's household is a victim of sexual
25 assault or abuse, stalking, or trafficking of persons;

26 (9) [~~(8)~~] the residence address of the applicant, if
27 the applicant:

1 (A) is a participant in the address
2 confidentiality program administered by the attorney general under
3 Subchapter B, Chapter 58, Code of Criminal Procedure; and

4 (B) provided the registrar with proof of
5 certification under Article 58.059, Code of Criminal Procedure; or

6 (10) [~~(9)~~] the telephone number of any applicant
7 submitting documentation under Subdivision (6), (7), (8), or (9)
8 [~~(5), (6), (7), or (8)~~].

9 SECTION 3. Subchapter A, Chapter 84, Election Code, is
10 amended by adding Section 84.0022 to read as follows:

11 Sec. 84.0022. CONFIDENTIALITY AND USE OF CERTAIN
12 INFORMATION. Information included on an application for a ballot
13 to be voted by mail is subject to Section 13.004 in the same manner
14 as that section applies to an application to register to vote.

15 SECTION 4. Subchapter A, Chapter 84, Election Code, is
16 amended by adding Section 84.0075 to read as follows:

17 Sec. 84.0075. SUBMITTING APPLICATION FOR BALLOT VOTED BY
18 MAIL TO VOTER REGISTRAR. (a) Notwithstanding the other provisions
19 of this subchapter, an applicant for a ballot to be voted by mail
20 who is not registered to vote may submit an application for a ballot
21 to be voted by mail and an application for voter registration to the
22 voter registrar.

23 (b) If the registrar approves the application for voter
24 registration under Title 2, the registrar shall forward the
25 application for a ballot to be voted by mail to the early voting
26 clerk.

27 (c) For the purposes of this section, a deputy registrar

1 must deliver an application for a ballot to be voted by mail to the
2 registrar in the same manner as an application for voter
3 registration.

4 SECTION 5. Section 84.011(a), Election Code, is amended to
5 read as follows:

6 (a) The officially prescribed application form for an early
7 voting ballot may combine the contents required under Section
8 84.002 for an early voting ballot application with an officially
9 prescribed voter registration application form and must include:

10 (1) immediately preceding the signature space the
11 statement: "I certify that the information given in this
12 application is true, and I understand that giving false information
13 in this application is a crime.";

14 (2) a statement informing the applicant of the
15 offenses prescribed by Sections 84.003 and 84.004;

16 (3) spaces for entering an applicant's information to
17 register to vote or voter registration number and county election
18 precinct of registration, as applicable, with a statement informing
19 the applicant that failure to furnish that information does not
20 invalidate the application; and

21 (4) on an application for a ballot to be voted by mail:

22 (A) a space for an applicant applying on the
23 ground of absence from the county of residence to indicate the date
24 on or after which the applicant can receive mail at the address
25 outside the county;

26 (B) a space for indicating the fact that an
27 applicant whose application is signed by a witness cannot make the

1 applicant's mark and a space for indicating the relationship or
2 lack of relationship of the witness to the applicant;

3 (C) a space for entering an applicant's telephone
4 number and e-mail address, with a statement informing the applicant
5 that failure to furnish that information does not invalidate the
6 application;

7 (D) a space or box for an applicant applying on
8 the ground of age or disability to indicate that the address to
9 which the ballot is to be mailed is the address of a facility or
10 relative described by Section 84.002(a)(3), if applicable;

11 (E) a space or box for an applicant applying on
12 the ground of confinement in jail to indicate that the address to
13 which the ballot is to be mailed is the address of a relative
14 described by Section 84.002(a)(4), if applicable;

15 (F) a space for an applicant applying on the
16 ground of age or disability to indicate if the application is an
17 application under Section 86.0015;

18 (G) spaces for entering the signature, printed
19 name, and residence address of any person assisting the applicant;

20 (H) a statement informing the applicant of the
21 condition prescribed by Section 81.005; and

22 (I) a statement informing the applicant of the
23 requirement prescribed by Section 86.003(c).

24 SECTION 6. Section 84.014, Election Code, is amended to
25 read as follows:

26 Sec. 84.014. ACTION BY EARLY VOTING CLERK ON CERTAIN
27 APPLICATIONS. (a) If an applicant provides a date of birth,

1 driver's license number, [~~or~~] social security number, or other
2 information required for registration under Title 2 on the
3 applicant's application for an early voting ballot to be voted by
4 mail that is different from or in addition to the information
5 maintained by the voter registrar in accordance with that title
6 [~~Title 2~~], the early voting clerk shall notify the voter
7 registrar. The voter registrar shall update the voter's record
8 with the information provided by the applicant.

9 (b) The submission of an application for an early voting
10 ballot to be voted by mail by an unregistered applicant that
11 complies with the applicable requirements and contains the
12 information required for registration under Title 2 constitutes
13 registration by the applicant.

14 SECTION 7. Section 86.001(e), Election Code, is amended to
15 read as follows:

16 (e) If the applicant does not have an effective voter
17 registration for the election, the clerk shall reject the
18 application unless:

19 (1) the clerk can determine from the voter registrar
20 that the applicant has submitted a voter registration application
21 and the registration will be effective on election day; or

22 (2) the application contains the information that is
23 required for registration under Title 2 and the registration will
24 be effective on election day.

25 SECTION 8. The changes in law made by this Act apply to an
26 application for a ballot to be voted by mail submitted for an
27 election ordered on or after the effective date of this Act. An

1 application for a ballot to be voted by mail submitted for an
2 election ordered before the effective date of this Act is governed
3 by the law in effect when the election was ordered, and the former
4 law is continued in effect for that purpose.

5 SECTION 9. To the extent of any conflict, this Act prevails
6 over another Act of the 87th Legislature, Regular Session, 2021,
7 relating to nonsubstantive additions to and corrections in enacted
8 codes.

9 SECTION 10. This Act takes effect September 1, 2021.