

By: Paul, et al.

H.B. No. 3974

A BILL TO BE ENTITLED

AN ACT

relating to the residence address of a voter for purposes of a response to a confirmation notice sent by the voter registrar.

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

SECTION 1. Section 1.015, Election Code, is amended by amending Subsection (b) and adding Subsection (f) to read as follows:

(b) A person may not establish residence for the purpose of influencing the outcome of a certain election [~~Residence shall be determined in accordance with the common-law rules, as enunciated by the courts of this state, except as otherwise provided by this code~~].

(f) A person may not establish a residence at any place the person has not inhabited. A person may not designate a previous residence as a home and fixed place of habitation unless the person inhabits the place at the time of designation and intends to remain.

SECTION 2. Section 15.052(b), Election Code, is amended to read as follows:

(b) The official confirmation notice response form must:

(1) provide spaces for the voter to include all of the information that a person must include in an application to register to vote under Section 13.002; [~~and~~]

(2) describe the requirements of Section 15.054, provide a space for the voter to indicate if the voter is exempt

1 from those requirements, and provide a space to indicate the reason
2 for an exemption, if any;

3 (3) provide the definition of residence under Section
4 1.015; and

5 (4) be postage prepaid and preaddressed for delivery
6 to the registrar.

7 SECTION 3. Section 15.053(a), Election Code, is amended to
8 read as follows:

9 (a) Not later than the 30th day after the date a
10 confirmation notice is mailed, the voter shall submit to the
11 registrar a written, signed response to the notice that confirms
12 the voter's current residence. The response must contain:

13 (1) all of the information that a person must include
14 in an application to register to vote under Section 13.002;

15 (2) a sworn affirmation of the voter's current
16 residence as defined by Section 1.015; and

17 (3) evidence of the voter's residence address as
18 required by Section 15.054 or an indication that the voter is exempt
19 from those requirements.

20 SECTION 4. Subchapter C, Chapter 15, Election Code, is
21 amended by adding Section 15.054 to read as follows:

22 Sec. 15.054. DOCUMENTATION OF RESIDENCE FOR PURPOSES OF
23 CONFIRMATION NOTICE RESPONSE. (a) For purposes of Section 15.053,
24 a voter's residence may be documented by providing a photocopy of
25 the first document, beginning with Subdivision (1) and continuing
26 through Subdivision (6), in the following list that corresponds to
27 the voter's residence under Section 1.015:

1 (1) a driver's license issued to the voter by the
2 Department of Public Safety that has not expired or, if the voter
3 has notified the department of a change of address under Section
4 521.054, Transportation Code, an affidavit from the voter stating
5 the new address contained in the notification;

6 (2) a personal identification card issued to the voter
7 by the Department of Public Safety that has not expired or, if the
8 voter has notified the department of a change of address under
9 Section 521.054, Transportation Code, an affidavit from the voter
10 stating the new address contained in the notification;

11 (3) a license to carry a concealed handgun issued to
12 the voter by the Department of Public Safety that has not expired
13 or, if the voter has notified the department of a change of address
14 under Section 411.181, Government Code, an affidavit from the voter
15 stating the new address contained in the notification;

16 (4) an appraisal district document showing the address
17 the voter claims as a homestead in this state;

18 (5) a utility bill addressed to the voter's residence
19 address; or

20 (6) an official tax document or Texas Department of
21 Motor Vehicles document showing the registration address of a
22 vehicle the voter owns.

23 (b) A voter whose residence in this state has no address may
24 document residence under this section by executing an affidavit
25 stating that the voter's residence in this state has no address,
26 providing a concise description of the location of the voter's
27 residence, and delivering the affidavit to the registrar with the

1 voter's response to the confirmation notice.

2 (c) The address described by Subsection (a)(4) may not be a
3 commercial post office box or similar location that does not
4 correspond to a residence.

5 (d) This section does not apply to:

6 (1) a voter who is a member of the armed forces of the
7 United States or the spouse or a dependent of a member;

8 (2) a voter enrolled as a full-time student who lives
9 on campus at an institution of higher education;

10 (3) a voter whose address is confidential under
11 Subchapter C, Chapter 56, Code of Criminal Procedure;

12 (4) a federal judge, state judge, or spouse of a
13 federal or state judge whose driver's license includes the street
14 address of a courthouse under Section 521.121, Transportation Code;
15 or

16 (5) a peace officer whose driver's license omits the
17 officer's actual residence address under Section 521.1211,
18 Transportation Code.

19 (e) Subsection (a)(1) does not apply to a voter who holds a
20 commercial driver's license under Subchapter C, Chapter 522,
21 Transportation Code.

22 (f) Notwithstanding the other provisions of this section, a
23 voter enrolled as a full-time student who lives on campus at an
24 institution of higher education may use the address of a post office
25 box located on the campus of the institution or in a dormitory owned
26 or operated by the institution to confirm the voter's residence.

27 (g) The secretary of state shall adopt rules as necessary to

1 implement this section.

2 SECTION 5. This Act takes effect September 1, 2021.