

By: Schofield

H.B. No. 862

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the cancellation of a person's voter registration on  
3 notice that the person has acknowledged that the person is not a  
4 citizen.

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

6 SECTION 1. Section 16.031(a), Election Code, is amended to  
7 read as follows:

8 (a) The registrar shall cancel a voter's registration  
9 immediately on receipt of:

10 (1) notice under Section 13.072(b), 15.021, or  
11 18.0681(d) or a response under Section 15.053 that the voter's  
12 residence is outside the county;

13 (2) an abstract of the voter's death certificate under  
14 Section 16.001(a) or an abstract of an application indicating that  
15 the voter is deceased under Section 16.001(b);

16 (3) an abstract of a final judgment of the voter's  
17 total mental incapacity, partial mental incapacity without the  
18 right to vote, conviction of a felony, or disqualification under  
19 Section 16.002, 16.003, or 16.004;

20 (4) notice under Section 112.012 that the voter has  
21 applied for a limited ballot in another county;

22 (5) notice from a voter registration official in  
23 another state that the voter has registered to vote outside this  
24 state;

1           (6) notice from the early voting clerk under Section  
2 [101.053](#) that a federal postcard application submitted by an  
3 applicant states a voting residence address located outside the  
4 registrar's county; ~~[or]~~

5           (7) notice from the secretary of state that the voter  
6 has registered to vote in another county, as determined by the  
7 voter's driver's license number or personal identification card  
8 number issued by the Department of Public Safety or social security  
9 number; or

10           (8) a list under Section [18.068](#) of this code or Section  
11 [62.113](#), Government Code, of persons excused or disqualified from  
12 jury service because of citizenship status that includes the voter,  
13 or other notice from any governmental agency that the voter has  
14 acknowledged that the voter is not a citizen of the United States.

15           SECTION 2. Section [16.036](#)(a), Election Code, is amended to  
16 read as follows:

17           (a) Immediately after, but not later than the 30th day after  
18 the date a voter's registration is canceled under Section  
19 [16.031](#)(a)(3) or (8), [16.033](#), or [16.0331](#), ~~[or [16.0332](#),~~] the  
20 registrar shall deliver written notice of the cancellation to the  
21 voter.

22           SECTION 3. Section [19.001](#)(a), Election Code, is amended to  
23 read as follows:

24           (a) Before May 15 of each year, the registrar shall prepare  
25 and submit to the secretary of state a statement containing:

26           (1) the total number of initial registrations for the  
27 previous voting year;

1           (2) the total number of registrations canceled under  
2 Sections [16.031\(a\)\(1\)](#) and (8) and Section~~[,]~~ [16.033](#)~~[, and 16.0332]~~  
3 for the previous voting year; and

4           (3) the total number of registrations for which  
5 information was updated for the previous voting year.

6           SECTION 4. Sections [62.113\(b\)](#) and (c), Government Code, are  
7 amended to read as follows:

8           (b) On the third business day of each month, the clerk shall  
9 send a copy of the list of persons excused or disqualified because  
10 of citizenship in the previous month to:

11           (1) the voter registrar of the county;

12           (2) the county official responsible for administering  
13 elections;

14           (3) the secretary of state; and

15           (4) [~~(3)~~] the county or district attorney for an  
16 investigation of whether the person committed an offense under  
17 Section [13.007](#) or [64.012](#), Election Code, or other law.

18           (c) A list compiled under this section may not be used for a  
19 purpose other than a purpose described by Subsection (b) or Section  
20 [16.031\(a\)\(8\)](#) [~~[16.0332](#)~~] or [18.068](#), Election Code.

21           SECTION 5. Section [16.0332](#), Election Code, is repealed.

22           SECTION 6. This Act takes effect September 1, 2023.