

By: Brown of Kaufman

H.B. No. 2119

Substitute the following for H.B. No. 2119:

By: Bohac

C.S.H.B. No. 2119

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to certain duties of local registrars of deaths relating  
3 to voter registration.

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

5 SECTION 1. Section 16.001, Election Code, is amended by  
6 amending Subsection (a) and adding Subsections (d) and (e) to read  
7 as follows:

8 (a) The [~~Each month the~~] local registrar of deaths shall  
9 prepare an abstract of each death certificate issued [~~in the month~~]  
10 for a decedent 18 years of age or older who was a resident of the  
11 state at the time of death. The local registrar of deaths shall  
12 file each abstract with the voter registrar of the decedent's  
13 county of residence in accordance with Subsection (d) or (e), as  
14 applicable [~~not later than the 10th day of the month following the~~  
15 ~~month in which the abstract is prepared~~].

16 (d) A local registrar of deaths that is an officer,  
17 employee, or department of a municipality shall file each abstract  
18 as required by Subsection (a) not later than the 10th day of the  
19 month following the month in which the abstract is prepared.

20 (e) A local registrar of deaths who is a county clerk,  
21 district clerk, or justice of the peace shall file each abstract as  
22 required by Subsection (a) not later than the 10th day after the  
23 date the death certificate is issued.

24 SECTION 2. Effective January 1, 2006, Section 19.002(b),

1 Election Code, is amended to read as follows:

2 (b) After June 1 of each year, the comptroller of public  
3 accounts shall issue warrants pursuant to vouchers submitted by the  
4 registrar and approved by the secretary of state in amounts that in  
5 the aggregate do not exceed the registrar's entitlement less any  
6 amounts deducted under Section 19.0021. The secretary of state  
7 shall prescribe the procedures necessary to implement this  
8 subsection.

9 SECTION 3. Effective January 1, 2006, Chapter 19, Election  
10 Code, is amended by adding Section 19.0021 to read as follows:

11 Sec. 19.0021. DISPOSITION OF CERTAIN INFORMATION ON  
12 DECEASED VOTERS. (a) At the time a registrar submits a statement  
13 to the comptroller under Section 19.001(a), the registrar shall  
14 provide a report to the secretary of state for each person whose  
15 death is reported in information provided to the registrar under  
16 Section 16.001(c) in the previous voting year. The report must be  
17 in a form prescribed by the secretary of state and indicate:

18 (1) whether the voter registration of the person was  
19 canceled because the person was a registered voter in the county and  
20 is deceased; or

21 (2) an explanation as to the person's status.

22 (b) The secretary of state shall provide to the comptroller  
23 the number of persons for whom the registrar has failed to provide  
24 information to the secretary of state required under Subsection  
25 (a).

26 (c) From the amount a registrar is entitled under Section  
27 19.002, the comptroller shall deduct an amount equal to:

1           (1) 40 cents multiplied by the number of persons the  
2 secretary of state identifies under Subsection (b); and

3           (2) 20 percent of the total payment the registrar is  
4 otherwise entitled to receive under Section 19.002.

5           (d) The comptroller shall restore to a registrar's  
6 entitlement an amount deducted under Subsection (c) if the  
7 secretary of state notifies the comptroller that the secretary of  
8 state has received all outstanding information required under  
9 Subsection (a).

10           SECTION 4. Section 191.022(a), Health and Safety Code, is  
11 amended to read as follows:

12           (a) The justice of the peace is the local registrar of  
13 births and deaths in a justice of the peace precinct. However, the  
14 duty of registering births and deaths may be transferred to the  
15 county clerk if the justice of the peace and the county clerk agree  
16 in writing and the agreement is ratified by the commissioners  
17 court. The county shall notify the bureau of vital statistics, in  
18 the manner required by the state registrar, of the person serving as  
19 the local registrar for births and deaths in the county. The local  
20 registrar identified for a county under this subsection is  
21 responsible for ensuring compliance with Section 191.029.

22           SECTION 5. This Act takes effect September 1, 2003.