

## **BILL ANALYSIS**

H.B. 178  
By: Denny  
Elections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Prior to the 78th legislative session, the Transportation Code authorized the magnetic strip on the back of Texas driver's licenses and personal identification cards to be used to access electronically readable information for governmental purposes. As part of this authorization, election officials used the magnetic strip to electronically obtain names and addresses of voters at polling places, rather than manually typing this information into computers. This process not only sped up the verification of voters, controlling long lines at the polling places, but it also helped ensure the accuracy of the entered information by preventing typographical errors. To comply with the Patriot Act, Senate Bill 1445 (78R) expanded the use of the magnetic strip to authorize financial institutions to verify the identity of customers. At the same time, this bill clarified specific government officials authorized to use the magnetic strip and removed general use for governmental purposes. In doing this, election officials were inadvertently omitted from the list. House Bill 178 adds election officers to this list of individuals authorized to use the magnetic strip on driver's licenses and personal identification cards.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

House Bill 178 amends the Election and Transportation Codes by authorizing an election officer to access electronically readable information on a driver's license or personal identification card for proof of identification when determining whether to accept that voter for voting. The bill adds election officers to the list of those individuals not prohibited from accessing this information or from compiling or maintaining a database of the electronically readable information. H.B. 178 requires the secretary of state to prescribe procedures for the implementation of these provisions.

### **EFFECTIVE DATE**

September 1, 2005.