BILL ANALYSIS

Senate Research Center

H.B. 2280
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State Affairs
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

During the 78th Legislature, Regular Session, 2003, Texas enacted legislation in response to the federal Help America Vote Act of 2002. Part of the federal act requires the state to implement a statewide computerized voter registration system. Although legislation passed during the last regular session initiated the development of this system and put some guidelines in place for its use, many details concerning the actual use of the system have yet to be implemented. For instance, each county voter registrar formerly maintained its own voter registration list. Once the new system is in use, the state will maintain the official list for each county. H.B. 2280 makes modifications to facilitate the use of the statewide voter registration system once it is implemented by the federal deadline of January 1, 2006.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the secretary of state is modified in SECTION 3 (Section15.021, Election Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 13.072(a), Election Code, to require the voter registrar (registrar) to approve the application for registration if certain conditions are met unless the registrar challenges the applicant. Deletes existing text referring to the registrar determining that an application complies with Section 13.002 (Application Required) and indicating that the applicant is eligible for registration.

SECTION 2. Amends Section 13.141, Election Code, to require, rather than authorize, the secretary of state to prescribe a uniform system for assigning voter registration numbers. Deletes existing text pertaining to a uniform system not being prescribed.

SECTION 3. Amends Sections 15.021(d), (e), and (f), Election Code, as follows:

> (d) Authorizes a voter who continues to reside in the county in which the voter is registered to correct information under this section by digital transmission of the information under a program administered by the secretary of state and the Department of Information Resources. Deletes existing text of Subsection (d).

> (e) Redesignated from existing Subsection (f). Requires, rather than authorizes the secretary of state to adopt rules under this section. Deletes existing text pertaining to a study.

SECTION 4. Amends Section 16.001(c), Election Code, to require the Bureau of Vital Statistics, once each week, on a day specified by the secretary of state, rather than not later than the 10th day of each month, to furnish to the secretary of state available information specified by the secretary relating to deceased residents of the state.

SECTION 5. Amends Section 16.003, Election Code, to require the Department of Public Safety (DPS), each weekday, rather than each week on a day specified by the secretary of state, that DPS is regularly open for business, to prepare an abstract of each final judgment received by the department convicting a person 18 years of age or older who is a resident of the state of a felony and file each abstract with the secretary of state. Deletes existing text relating to filing an abstract with the voter registrar of a person's county.

SECTION 6. Amends Section 18.041, Election Code, as follows:

Sec. 18.041. New heading: ANNUAL REGISTRATION REPORT. Requires the registrar, each voting year, to prepare a report, rather than written statement, of the number of persons whose voter registrations in the county and in each county election precinct will be effective on January 1. Makes conforming changes.

SECTION 7. Amends Section 18.061, Election Code, by adding Subsection (e), to require the secretary of state to prescribe procedures to ensure that when a voter registers in another county, the statewide computerized voter registration list is updated to reflect the voter's registration in the new county.

SECTION 8. Amends Sections 20.065(b) and (c), Election Code, as follows:

(b) Requires DPS, each weekday the department is regularly open for business, rather than once each week on a day specified by the secretary of state, to electronically transfer to the secretary of state the name of each person who completes a voter registration application submitted to DPS.

(c) Requires the secretary of state, on the weekday the secretary of state is regularly open for business following, rather then not later than the seventh day after, the date the secretary receives information under Subsection (b), to inform the appropriate voter registrar of the name of each person who completes a voter registration application submitted to DPS.

SECTION 9. Amends Section 20.066, Election Code, as follows:

Sec. 20.066. New heading: REGISTRATION PROCEDURES. (a) Redesignated from existing Subsection (b). Deletes existing Subsection (a).

(b) Redesignated from existing Subsection (c). Requires DPS to electronically transfer the applicant's voter registration data, including the applicant's signature, to the secretary of state, rather than the registrar of the county in which the applicant resides.

(c) Redesignated from existing Subsection (e). Deletes existing Subsection (d).

(d) Sets forth guidelines for procedures prescribed by the secretary of state to implement this section.

(e) Provides that Subsection (d) and this subsection expire January 2, 2008.

SECTION 10. Effective date: January 1, 2006.