

By: Denny

H.B. No. 178

A BILL TO BE ENTITLED

AN ACT

relating to the use of electronically readable information from a driver's license or personal identification card in an election.

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

SECTION 1. Chapter 63, Election Code, is amended by adding Section 63.0102 to read as follows:

Sec. 63.0102. USE OF CERTAIN ELECTRONICALLY READABLE INFORMATION. (a) An election officer may access electronically readable information on a driver's license or personal identification card for proof of identification when determining whether a voter shall be accepted for voting.

(b) The secretary of state shall prescribe any necessary procedures to implement this section.

SECTION 2. Section 521.126(d), Transportation Code, is amended to read as follows:

(d) The prohibition provided by Subsection (b) does not apply to:

(1) an officer or employee of the department who accesses or uses the information for law enforcement or government purposes;

(2) a peace officer, as defined by Article 2.12, Code of Criminal Procedure, acting in the officer's official capacity;

(3) a license deputy, as defined by Section 12.702, Parks and Wildlife Code, issuing a license, stamp, tag, permit, or

1 other similar item through use of a point-of-sale system under
2 Section 12.703, Parks and Wildlife Code; [~~or~~]

3 (4) a person acting as authorized by Section 109.61,
4 Alcoholic Beverage Code; or

5 (5) an election officer who accesses or uses the
6 information to determine the identity of a voter as authorized by
7 Section 63.0102, Election Code.

8 SECTION 3. This Act takes effect September 1, 2005.