

By: Bohac

H.B. No. 1270

A BILL TO BE ENTITLED

AN ACT

relating to the qualifications and duties of a deputy voter registrar.

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

SECTION 1. Section 13.031(d), Election Code, is amended to read as follows:

(d) To be eligible for appointment as a volunteer deputy registrar, a person must:

(1) be 18 years of age or older;

(2) not have been determined mentally incompetent by a final judgement of a court;

(3) be a United States citizen; and

(4) not have been finally convicted of a felony or, if so convicted, have:

(A) fully discharged the person's sentence, including any term of confinement, parole, or mandatory supervision, or completed a period of community supervision ordered by any court; or

(B) been pardoned or otherwise released from the resulting disability to vote.

SECTION 2. Section 13.032, Election Code, is amended to read as follows:

Sec. 13.032. PROHIBITION ON REFUSING TO APPOINT. A registrar may not refuse to appoint as a volunteer deputy

1 registrar:

2 (1) a person eligible under Section 13.031 [~~resident~~
3 ~~of the county served by the registrar~~]; or

4 (2) any person on the basis of sex, race, creed, color,
5 or national origin or ancestry.

6 SECTION 3. Section 13.033(b), Election Code, is amended to
7 read as follows:

8 (b) If a person is to be appointed, the registrar shall
9 prepare a certificate of appointment in duplicate containing:

10 (1) the date of appointment;

11 (2) the statement: "I, _____, Voter Registrar
12 for _____ County, do hereby appoint _____ as a
13 volunteer deputy registrar for _____ County.";

14 (3) the person's residence address;

15 (4) the person's voter registration number, if any;

16 (5) a statement that the term of the appointment
17 expires December 31 of an even-numbered year; and

18 (6) a statement that the appointment terminates on the
19 person's final conviction for an offense for failure to deliver a
20 registration application and may terminate on the registrar's
21 determination that the person violated Section 13.038(b) or failed
22 to adequately review a registration application.

23 SECTION 4. Section 13.036(b), Election Code, is amended to
24 read as follows:

25 (b) The registrar may terminate the appointment of a
26 volunteer deputy registrar on a determination by the registrar that
27 the volunteer deputy violated Section 13.038(b) or failed to

1 adequately review a registration application as required by Section
2 13.039.

3 SECTION 5. Section 13.038, Election Code, is amended to
4 read as follows:

5 Sec. 13.038. POWERS GENERALLY. (a) A volunteer deputy
6 registrar may distribute voter registration application forms
7 throughout the county and receive registration applications
8 submitted to the deputy in person.

9 (b) In conducting the duties prescribed by this subchapter,
10 a volunteer deputy registrar may not:

11 (1) harass, intimidate, or coerce any person; or

12 (2) refuse to:

13 (A) distribute voter registration applications;

14 (B) receive a completed voter registration
15 application submitted to the deputy; or

16 (C) provide assistance to any person who is
17 eligible for registration as a voter in this state.

18 SECTION 6. This Act applies only to an appointment of a
19 volunteer deputy registrar made on or after the effective date of
20 this Act.

21 SECTION 7. This Act takes effect September 1, 2005.