

By: Kolkhorst

H.B. No. 1402

A BILL TO BE ENTITLED

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AN ACT

relating to requiring a voter to present proof of identification.

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

SECTION 1. Sections 63.001(b) and (d), Election Code, are amended to read as follows:

(b) On offering to vote, a voter must present to an election officer at the polling place the voter's voter registration certificate and either:

(1) one form of identification approved by the secretary of state that contains the person's photograph; or

(2) two different forms of identification listed in Section 63.0101 that do not contain the person's photograph [~~to an election officer at the polling place~~].

(d) If the voter's name is on the precinct list of registered voters and the voter's identity can be verified from the proof presented, the voter shall be accepted for voting.

SECTION 2. Section 63.006(a), Election Code, is amended to read as follows:

(a) A voter who, when offering to vote, presents a voter registration certificate indicating that the voter is currently registered in the precinct in which the voter is offering to vote, but whose name is not on the precinct list of registered voters, shall be accepted for voting if the voter's identity can be verified from the proof presented.

1 SECTION 3. Section 63.007(a), Election Code, is amended to  
2 read as follows:

3 (a) A voter who, when offering to vote, presents a voter  
4 registration certificate indicating that the voter is currently  
5 registered in a different precinct from the one in which the voter  
6 is offering to vote, and whose name is not on the precinct list of  
7 registered voters, shall be accepted for voting if the voter's  
8 identity can be verified from the proof presented and the voter  
9 executes an affidavit stating that the voter:

10 (1) is a resident of the precinct in which the voter is  
11 offering to vote or is otherwise entitled by law to vote in that  
12 precinct;

13 (2) was a resident of the precinct in which the voter  
14 is offering to vote at the time that information on the voter's  
15 residence address was last provided to the voter registrar;

16 (3) did not deliberately provide false information to  
17 secure registration in a precinct in which the voter does not  
18 reside; and

19 (4) is voting only once in the election.

20 SECTION 4. Section 63.008(a), Election Code, is amended to  
21 read as follows:

22 (a) A voter who does not present a voter registration  
23 certificate when offering to vote, but whose name is on the list of  
24 registered voters for the precinct in which the voter is offering to  
25 vote, shall be accepted for voting if the voter executes an  
26 affidavit stating that the voter does not have the voter's voter  
27 registration certificate in the voter's possession at the polling

1 place at the time of offering to vote and the voter's identity can  
2 be verified from the proof presented [~~voter presents proof of~~  
3 ~~identification in a form described by Section 63.0101~~].

4 SECTION 5. This Act takes effect September 1, 2005.