

AN ACT

relating to the implementation of a statewide voter registration system as required by the federal Help America Vote Act.

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

SECTION 1. Section 13.072(a), Election Code, is amended to read as follows:

(a) Unless the registrar challenges the applicant [~~If the registrar determines that an application complies with Section 13.002 and indicates that the applicant is eligible for registration~~], the registrar shall approve the application if:

(1) the registrar determines that an application complies with Section 13.002 and indicates that the applicant is eligible for registration; and

(2) for an applicant who has not included a statement described by Section 13.002(c)(8)(C), the registrar verifies with the secretary of state:

(A) the applicant's Texas driver's license number or number of a personal identification card issued by the Department of Public Safety; or

(B) the last four digits of the applicant's social security number [~~unless the registrar challenges the applicant~~].

SECTION 2. Section 13.141, Election Code, is amended to read as follows:

1 Sec. 13.141. REGISTRATION NUMBER. ~~[(a) The registrar~~
2 ~~shall assign a registration number to each person to be registered~~
3 ~~as a voter.~~

4 ~~[(b)]~~ The secretary of state shall ~~[may]~~ prescribe a uniform
5 system for assigning voter registration numbers. ~~[If a uniform~~
6 ~~system is not prescribed, the registrar shall use a system that~~
7 ~~promotes efficient and accurate administration of voter~~
8 ~~registration.]~~

9 SECTION 3. Sections 15.021(d), (e), and (f), Election Code,
10 are amended to read as follows:

11 (d) A voter who continues to reside in the county in which
12 the voter is registered may correct information under this section
13 by digital transmission of the information under a program
14 administered by the secretary of state and the Department of
15 Information Resources. ~~[The secretary of state, in conjunction with~~
16 ~~the Department of Information Resources, shall conduct a study to~~
17 ~~determine the feasibility of allowing voters to correct information~~
18 ~~under this section by digital transmission of the corrected~~
19 ~~information to the registrar.]~~

20 (e) The ~~[If the study determines it is feasible to allow the~~
21 ~~digital transmission of corrected information by the voter to the~~
22 ~~registrar, the corrected information may be submitted without:~~

23 ~~[(1) submitting a written, signed notice of the~~
24 ~~incorrect information and the corresponding correction under~~
25 ~~Subsection (a); and~~

26 ~~[(2) complying with Subsection (b).]~~

27 ~~[(f) If the study determines that it is feasible to allow~~

1 ~~the digital transmission of corrected information by the voter to~~
2 ~~the registrar, the~~ secretary of state shall ~~[may]~~ adopt rules to:

3 (1) approve technologies for submitting changes of
4 registration information by digital transmission under this
5 section; and

6 (2) prescribe additional procedures as necessary to
7 implement a system for the digital transmission of changes in
8 registration information.

9 SECTION 4. Section 16.001(c), Election Code, is amended to
10 read as follows:

11 (c) Once each week, on a day specified by the secretary of
12 state ~~[Not later than the 10th day of each month]~~, the Bureau of
13 Vital Statistics shall furnish to the secretary of state available
14 information specified by the secretary relating to deceased
15 residents of the state. Periodically, the secretary shall furnish
16 to the appropriate voter registrars information obtained from the
17 bureau that will assist in identifying the deceased registered
18 voters of each county.

19 SECTION 5. Section 16.003, Election Code, is amended to
20 read as follows:

21 Sec. 16.003. FELONY CONVICTION. ~~[(a)]~~ Each weekday ~~[week,~~
22 ~~on a day specified by the secretary of state,~~] the Department of
23 Public Safety is regularly open for business, the department shall:

24 (1) prepare an abstract of each final judgment
25 received by the department convicting a person 18 years of age or
26 older who is a resident of the state of a felony; and ~~[-]~~

27 (2) ~~[(b) The Department of Public Safety shall]~~ file

1 each abstract with the secretary of state [~~not later than one week~~
2 ~~following the week in which the abstract is prepared. The secretary~~
3 ~~of state shall file each abstract received under this subsection~~
4 ~~with the voter registrar of the person's county of residence not~~
5 ~~later than one week following the week in which the abstract is~~
6 ~~received under this subsection].~~

7 SECTION 6. Section 18.041, Election Code, is amended to
8 read as follows:

9 Sec. 18.041. ANNUAL REGISTRATION REPORT [~~STATEMENT~~]. (a)
10 Each voting year, the registrar shall prepare a report [~~written~~
11 ~~statement~~] of the number of persons whose voter registrations in
12 the county and in each county election precinct will be effective on
13 January 1.

14 (b) The secretary of state shall prescribe the categories of
15 voters and computations required in the report [~~statement~~].

16 (c) The registrar shall retain a copy of the report
17 [~~statement~~] on file as a registration record for two years.

18 (d) The registrar shall file the report [~~statement~~] with the
19 secretary of state not later than January 2.

20 (e) The secretary of state shall retain the report
21 [~~statement~~] on file for two years.

22 SECTION 7. Section 18.061, Election Code, is amended by
23 adding Subsection (e) to read as follows:

24 (e) The secretary of state shall prescribe procedures to
25 ensure that when a voter registers in another county, as determined
26 under Section 16.031(a)(6), the statewide computerized voter
27 registration list is updated to reflect the voter's registration in

1 the new county.

2 SECTION 8. Sections 20.065(b) and (c), Election Code, are
3 amended to read as follows:

4 (b) Each weekday the department is regularly open for
5 business [~~Once each week, on a day specified by the secretary of~~
6 ~~state~~], the department shall electronically transfer to the
7 secretary of state the name of each person who completes a voter
8 registration application submitted to the department. The
9 secretary shall prescribe procedures necessary to implement this
10 subsection.

11 (c) On the weekday the secretary of state is regularly open
12 for business following [~~Not later than the seventh day after~~] the
13 date the secretary [~~of state~~] receives information under Subsection
14 (b), the secretary shall inform the appropriate voter registrar of
15 the name of each person who completes a voter registration
16 application submitted to the department. The registrar may verify
17 that the registrar has received each application as indicated by
18 the information provided by the secretary under this subsection.

19 SECTION 9. Section 20.066, Election Code, is amended to
20 read as follows:

21 Sec. 20.066. REGISTRATION PROCEDURES [~~FOR CERTAIN POPULOUS~~
22 ~~COUNTIES~~]. (a) [~~This section applies unilaterally to a person who~~
23 ~~resides in a county with a population of 2.1 million or more and, if~~
24 ~~written request is made to the Department of Public Safety by the~~
25 ~~commissioners court, applies to a person who resides in a county~~
26 ~~with a population greater than 400,000 but less than 2.1 million.~~

27 [~~(b)~~] If a person completes a voter registration

1 application as provided by Section 20.063, the Department of Public
2 Safety shall:

3 (1) input the information provided on the application
4 into the department's electronic data system; and

5 (2) inform the applicant that the applicant's
6 electronic signature provided to the department will be used for
7 submitting the applicant's voter registration application.

8 (b) [~~(c)~~] Not later than the fifth day after the date a
9 person completes a voter registration application and provides an
10 electronic signature to the department, the department shall
11 electronically transfer the applicant's voter registration data,
12 including the applicant's signature, to the secretary of state
13 [~~voter registrar of the county in which the applicant resides.~~

14 [~~(d) The voter registrar shall maintain a database approved~~
15 ~~by the secretary of state for receiving electronically transmitted~~
16 ~~registration applications under this section].~~

17 (c) [~~(e)~~] The secretary of state shall prescribe additional
18 procedures as necessary to implement this section.

19 (d) The procedures may allow:

20 (1) the department to delay the implementation of the
21 transmission of electronic signatures under this section until
22 January 1, 2008, if the department determines that it lacks the
23 proper equipment for making the transmission; and

24 (2) a person to be registered without a signature if a
25 delay is granted under Subdivision (1) and all other information
26 required for registration has been submitted electronically under
27 this section.

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

3 SECTION 10. This Act takes effect January 1, 2006.

President of the Senate

Speaker of the House

I certify that H.B. No. 2280 was passed by the House on May 9, 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 2280 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor