

By: Madden, Paxton, Phillips

H.B. No. 498

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of home address information of certain federal judges and their spouses.

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

SECTION 1. Subchapter A, Chapter 13, Election Code, is amended by adding Section 13.0021 to read as follows:

Sec. 13.0021. ADDITIONAL REGISTRATION INFORMATION FROM CERTAIN FEDERAL JUDGES. (a) In this section, "federal judge" means:

(1) a judge of a United States court of appeals;

(2) a judge of a United States district court;

(3) a judge of a United States bankruptcy court; or

(4) a magistrate judge of a United States district court.

(b) If the registration applicant is a federal judge who seeks to have the applicant's residence address omitted from the registration list, the applicant shall include with the application an affidavit stating that the applicant is a federal judge.

SECTION 2. Section 13.004, Election Code, is amended by amending Subsections (c) and (d) and adding Subsection (c-1) to read as follows:

(c) The following information furnished on a registration application is confidential and does not constitute public information for purposes of Chapter 552, Government Code:

- 1 (1) a [A] social security number;
2 (2) a [7] Texas driver's license number;
3 (3) a [7] number of a personal identification card
4 issued by the Department of Public Safety;

5 (4) [7—0x] an indication that an applicant is
6 interested in working as an election judge; or

7 (5) the residence address of the applicant, if the
8 applicant is a federal judge, as defined by Section 13.0021(a), and
9 included an affidavit with the registration application under
10 Section 13.0021 or the registrar has received an affidavit
11 submitted under Section 15.0215 [furnished on a registration
12 application is confidential and does not constitute public
13 information for purposes of Chapter 552, Government Code].

14 (c-1) The registrar shall ensure that the information
15 listed in Subsection (c) [a social security number, Texas driver's
16 license number, number of a personal identification card issued by
17 the Department of Public Safety, or an indication that an applicant
18 is interested in working as an election judge] is excluded from
19 disclosure.

20 (d) The voter registrar or other county official who has
21 access to the information furnished on a registration application
22 may not post the following information on a website:

- 23 (1) a telephone number;
24 (2) a social security number;
25 (3) a driver's license number or a number of a personal
26 identification card; [0x]
27 (4) a date of birth; or

1 (5) the residence address of a voter who is a federal
2 judge, as defined by Section 13.0021(a), if the voter included an
3 affidavit with the application under Section 13.0021 or the
4 registrar has received an affidavit submitted under Section
5 15.0215.

6 SECTION 3. Subchapter B, Chapter 15, Election Code, is
7 amended by adding Section 15.0215 to read as follows:

8 Sec. 15.0215. NOTICE OF FEDERAL JUDGE STATUS. (a) In this
9 section, "federal judge" has the meaning assigned by Section
10 13.0021(a).

11 (b) A federal judge who is registered to vote may at any time
12 submit to the registrar of the county in which the judge resides an
13 affidavit stating that the voter is a federal judge.

14 SECTION 4. Section 15.081, Election Code, is amended by
15 adding Subsection (d) to read as follows:

16 (d) Notwithstanding Subsection (b), the suspense list may
17 not contain the residence address of a voter who is a federal judge
18 if the voter included an affidavit with the voter's registration
19 application under Section 13.0021 or the registrar received an
20 affidavit submitted under Section 15.0215 before the list was
21 prepared. In this subsection, "federal judge" has the meaning
22 assigned by Section 13.0021(a).

23 SECTION 5. Section 18.005, Election Code, is amended by
24 amending Subsection (a) and adding Subsection (c) to read as
25 follows:

26 (a) Each original and supplemental list of registered
27 voters must:

1 (1) contain the voter's name, [~~residence address,~~]
2 date of birth, and registration number as provided by the statewide
3 computerized voter registration list;

4 (2) contain the voter's residence address, except as
5 provided by Subsections (b) and (c);

6 (3) be arranged alphabetically by voter name; and

7 (4) [~~(3)~~] contain the notation required by Section
8 15.111[~~, and~~

9 [~~(4) until Section 13.122(d) expires, identify each~~
10 ~~voter registered by mail for the first time who failed to provide a~~
11 ~~copy of a document described by Section 63.0101 establishing the~~
12 ~~voter's identity at the time of registration].~~

13 (c) The original or supplemental list of registered voters
14 may not contain the residence address of a voter who is a federal
15 judge if the voter included an affidavit with the voter's
16 registration application under Section 13.0021 or the registrar
17 received an affidavit submitted under Section 15.0215 before the
18 list was prepared. In this subsection, "federal judge" has the
19 meaning assigned by Section 13.0021(a).

20 SECTION 6. Section 18.066(b), Election Code, is amended to
21 read as follows:

22 (b) Information furnished under this section may not
23 include:

24 (1) a voter's social security number; or

25 (2) the residence address of a voter who is a federal
26 judge, as defined by Section 13.0021(a), if the voter included an
27 affidavit with the voter's registration application under Section

1 13.0021 or the applicable registrar has received an affidavit
2 submitted under Section 15.0215.

3 SECTION 7. Section 63.0011(a), Election Code, is amended to
4 read as follows:

5 (a) Before a voter may be accepted for voting, an election
6 officer shall ask the voter if the voter's residence address on the
7 precinct list of registered voters is current and whether the voter
8 has changed residence within the county. If the voter's address is
9 omitted from the precinct list under Section 18.005(c), the officer
10 shall ask the voter if the voter's residence as listed on the
11 voter's voter registration certificate is current and whether the
12 voter has changed residence within the county.

13 SECTION 8. Section 411.171, Government Code, is amended by
14 adding Subdivision (4-a) to read as follows:

15 (4-a) "Federal judge" means:
16 (A) a judge of a United States court of appeals;
17 (B) a judge of a United States district court;
18 (C) a judge of a United States bankruptcy court;
19 or
20 (D) a magistrate judge of a United States
21 district court.

22 SECTION 9. Section 411.179, Government Code, is amended by
23 amending Subsection (a) and adding Subsection (c) to read as
24 follows:

25 (a) The department by rule shall adopt the form of the
26 license. A license must include:

27 (1) a number assigned to the license holder by the

1 department;

2 (2) a statement of the period for which the license is
3 effective;

4 (3) a statement of the category or categories of
5 handguns the license holder may carry as provided by Subsection
6 (b);

7 (4) a color photograph of the license holder; ~~and~~

8 (5) the license holder's full name, date of birth,
9 ~~[residence address,]~~ hair and eye color, height, weight, and
10 signature;

11 (6) the license holder's residence address or, as
12 provided by Subsection (c), the street address of the courthouse in
13 which the license holder or license holder's spouse serves as a
14 federal judge; [7] and

15 (7) the number of a driver's license or an
16 identification certificate issued to the license holder by the
17 department.

18 (c) In adopting the form of the license under Subsection
19 (a), the department shall establish a procedure for the license of a
20 federal judge or the spouse of a federal judge to omit the license
21 holder's residence address and to include, in lieu of that address,
22 the street address of the courthouse in which the license holder or
23 license holder's spouse serves as a federal judge. In establishing
24 the procedure, the department shall require sufficient documentary
25 evidence to establish the license holder's status as a federal
26 judge or spouse of a federal judge.

27 SECTION 10. Sections 411.181(a) and (b), Government Code,

1 are amended to read as follows:

2 (a) If a person who is a current license holder moves to a
3 new residence [~~from the~~] address, [~~stated on the license or~~] if the
4 name of the person is changed by marriage or otherwise, or if the
5 person's status as a federal judge or the spouse of a federal judge
6 becomes inapplicable, the person shall, not later than the 30th day
7 after the date of the address, [~~or~~] name, or status change, notify
8 the department and provide the department with the number of the
9 person's license and, as applicable, the person's:

10 (1) former and new addresses; or

11 (2) former and new names.

12 (b) If the name of the license holder is changed by marriage
13 or otherwise, or if the person's status as a federal judge or the
14 spouse of a federal judge becomes inapplicable, the person shall
15 apply for a duplicate license. The duplicate license must include
16 the person's current residence address.

17 SECTION 11. Section 25.025, Tax Code, is amended by
18 amending Subsection (a) and adding Subsection (a-1) to read as
19 follows:

20 (a) This section applies only to:

21 (1) a peace officer as defined by Article 2.12, Code of
22 Criminal Procedure;

23 (2) a county jailer as defined by Section 1701.001,
24 Occupations Code;

25 (3) an employee of the Texas Department of Criminal
26 Justice;

27 (4) a commissioned security officer as defined by

1 Section 1702.002, Occupations Code; ~~and~~

2 (5) a victim of family violence as defined by Section
3 71.004, Family Code, if as a result of the act of family violence
4 against the victim, the actor is convicted of a felony or a Class A
5 misdemeanor; and

6 (6) a federal judge.

7 (a-1) In this section, "federal judge" means:

8 (1) a judge of a United States court of appeals;

9 (2) a judge of a United States district court;

10 (3) a judge of a United States bankruptcy court; or

11 (4) a magistrate judge of a United States district
12 court.

13 SECTION 12. This Act takes effect September 1, 2007.