

By: Van Arsdale, Flynn, et al.

H.B. No. 2247

A BILL TO BE ENTITLED

AN ACT

relating to the cancellation of the voter registration of persons who are deceased or not citizens of the United States.

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

SECTION 1. Sections 16.001(a) and (b), Election Code, are amended to read as follows:

(a) Each month the local registrar of deaths shall prepare an abstract of each death certificate issued in the month for a decedent 18 years of age or older who was a resident of the state at the time of death. The local registrar of deaths shall file each abstract with the voter registrar of the decedent's county of residence and the secretary of state not later than the 10th day of the month following the month in which the abstract is prepared.

(b) Each month the clerk of each court having probate jurisdiction shall prepare an abstract of each application for probate of a will or administration of a decedent's estate filed in the month with a court served by the clerk. The clerk shall file each abstract with the voter registrar and the secretary of state not later than the 10th day of the month following the month in which the abstract is prepared.

SECTION 2. Section 16.031(b), Election Code, is amended to read as follows:

(b) The registrar shall cancel a voter's registration immediately if the registrar:

1 (1) determines from information received under
2 Section 16.001(c) that the voter is deceased;

3 (2) has personal knowledge that the voter is deceased;
4 [~~or~~]

5 (3) receives from a person related within the second
6 degree by consanguinity or affinity, as determined under Chapter
7 573, Government Code, to the voter a sworn statement by that person
8 indicating that the voter is deceased; or

9 (4) receives notice from the secretary of state under
10 Section 18.068 that the voter is deceased.

11 SECTION 3. Section 16.0332(a), Election Code, is amended to
12 read as follows:

13 (a) After the registrar receives a list under Section 18.068
14 of this code or Section 62.113, Government Code, of persons excused
15 or disqualified from jury service because of citizenship status,
16 the registrar shall deliver to each registered voter whose name
17 appears on the list a written notice requiring the voter to submit
18 to the registrar proof of United States citizenship in the form of a
19 certified copy of the voter's birth certificate, United States
20 passport, or certificate of naturalization or any other form
21 prescribed by the secretary of state. The notice shall be delivered
22 by forwardable mail to the mailing address on the voter's
23 registration application and to any new address of the voter known
24 to the registrar.

25 SECTION 4. Subchapter C, Chapter 18, Election Code, is
26 amended by adding Section 18.068 to read as follows:

27 Sec. 18.068. COMPARISON OF INFORMATION REGARDING

1 INELIGIBILITY. The secretary of state shall semiannually compare
2 the information received under Section 16.001 of this code and
3 Section 62.113, Government Code, to the statewide computerized
4 voter registration list. If the secretary determines that a voter
5 on the registration list is deceased or has been excused or
6 disqualified from jury service because the voter is not a citizen,
7 the secretary shall send notice of the determination to the voter
8 registrar of the counties considered appropriate by the secretary.

9 SECTION 5. Sections 62.113(b) and (c), Government Code, are
10 amended to read as follows:

11 (b) On the third business day of each month, the clerk shall
12 send a copy of the list of persons excused or disqualified because
13 of citizenship in the previous month to:

14 (1) the voter registrar of the county;
15 (2) the secretary of state; and
16 (3) the county or district attorney, as applicable,
17 for an investigation of whether the person committed an offense
18 under Section 13.007, Election Code, or other law.

19 (c) A list compiled under this section may not be used for a
20 purpose other than a purpose described by Subsection (b) or Section
21 16.0332 or 18.068, Election Code.

22 SECTION 6. This Act takes effect September 1, 2007.