

By: Hochberg, England

H.B. No. 2319

Substitute the following for H.B. No. 2319:

By: Bohac

C.S.H.B. No. 2319

A BILL TO BE ENTITLED

AN ACT

relating to procedures concerning voter registration and the acceptance of individuals for voting.

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

SECTION 1. Section 13.002(d), Election Code, is amended to read as follows:

(d) The registrar shall approve a registration application notwithstanding an omission of information required by Subsection (c) if the application contains sufficient information considering the entire registration application and public records maintained by the voter registrar to reasonably determine that the voter is eligible to register as provided by Section 13.001. The omission of the following information [~~applicant's middle or former name under Subsection (c)(1) or the applicant's zip code under Subsection (c)(7)~~] does not affect the validity of a registration application, and the registrar may not reject the application because of the [~~that~~] omission of:

(1) the applicant's middle or former name under Subsection (c)(1) or the applicant's zip code under Subsection (c)(7);

(2) a mark indicating an affirmative answer on any space or box provided on the official application form for indicating whether the applicant will be at least 18 years of age on election day, if the application contains the applicant's birth

1 date;

2 (3) the applicant's residence address on the space
3 provided for the residence address, if the application provides an
4 address, other than a post office box address, anywhere on the
5 application, including in any space provided for the applicant's
6 mailing address on the application form;

7 (4) a date of submission; or

8 (5) the applicant's Texas driver's license number, the
9 number of a personal identification card issued by the Department
10 of Public Safety, or a statement or other indication by the
11 applicant that the applicant has not been issued a driver's license
12 or personal identification card, if the application contains the
13 last four digits of the applicant's social security number.

14 SECTION 2. Section 13.072(a), Election Code, is amended to
15 read as follows:

16 (a) Unless the registrar challenges the applicant, the
17 registrar shall approve the application if[+]

18 [~~(1)~~] the registrar determines that an application:

19 (1) complies with Section 13.002; and

20 (2) indicates that the applicant is eligible for
21 registration[~~, and~~

22 [~~(2) for an applicant who has not included a statement~~
23 ~~described by Section 13.002(c)(8)(C), the registrar verifies with~~
24 ~~the secretary of state.~~

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

1 ~~[(B) the last four digits of the applicant's~~
2 ~~social security number].~~

3 SECTION 3. Subchapter C, Chapter 18, Election Code, is
4 amended by adding Section 18.062 to read as follows:

5 Sec. 18.062. MATCHING OF VOTER INFORMATION. (a) The
6 secretary of state shall determine whether the information provided
7 by each applicant for voter registration matches information
8 maintained by the Department of Public Safety or the United States
9 Social Security Administration under standards adopted by the
10 secretary of state. The secretary of state shall notify the
11 registrar of the determination made under this subsection.

12 (b) Information provided by an applicant for voter
13 registration is considered to match information maintained by the
14 Department of Public Safety or the United States Social Security
15 Administration if a reasonable person would conclude that the
16 applicant is likely to be the individual reflected in the
17 information maintained by either agency.

18 (c) If a voter's information contained in the voter's
19 registration record does not match the voter's information
20 maintained by the Department of Public Safety or the United States
21 Social Security Administration under standards adopted under
22 Subsection (a), the secretary of state shall enter the notation
23 "M," or a similar notation, on the statewide computerized voter
24 registration list beside the voter's name.

25 (d) The secretary of state's determination that information
26 provided by each applicant for voter registration does not match
27 information maintained by the Department of Public Safety or the

1 United States Social Security Administration does not affect the
2 validity of a voter registration application, and a voter registrar
3 may not reject an application because the information does not
4 match.

5 SECTION 4. Chapter 63, Election Code, is amended by adding
6 Section 63.010 to read as follows:

7 Sec. 63.010. VOTER WHO IS ON LIST WITH INDICATION OF
8 MISMATCH. (a) A voter whose name appears on the registration list
9 with the notation "M," or a similar notation, shall be accepted for
10 voting if the voter presents proof of identification in a form
11 described by Section 63.0101.

12 (b) If the requirements prescribed by Subsection (a) are not
13 met, the voter may be accepted for provisional voting only under
14 Section 63.011.

15 SECTION 5. Not later than January 1, 2008, the secretary of
16 state shall adopt standards for determining whether information for
17 an applicant for voter registration matches the applicant's
18 information maintained by the United States Social Security
19 Administration or the Department of Public Safety of the State of
20 Texas for the purpose of adding a notation beside the voter's name
21 on the statewide computerized voter registration list, as required
22 by Section 18.062, Election Code, as added by this Act.

23 SECTION 6. The changes in law made by Sections 1, 2, and 3 of
24 this Act apply only to an election held on or after January 1, 2008.

25 SECTION 7. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

C.S.H.B. No. 2319

- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2007.