

By: Bohac

H.B. No. 3742

A BILL TO BE ENTITLED

AN ACT

relating to the requirements of official confirmation forms and statements of residency for voters.

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

SECTION 1. Section 15.052, Election Code, is amended to read as follows:

Sec. 15.052. (a) The officially prescribed form for a confirmation notice must include: 3 7 Sec. 15.052. ELECTION CODE

(1) a statement that, if the voter fails to submit to the registrar a written, signed response confirming the voter's current residence on or before the 30th day after the date the confirmation notice is mailed:

(A) the voter is subject to submission of a statement of residence before the voter may be accepted for voting in an election held after that deadline; or

(B) for a notice delivered under Section 14.023, the voter will remain subject to submission of a statement of residence before the voter may be accepted for voting in an election; and

(2) a warning that the voter's registration is subject to cancellation if the voter fails to confirm the voter's current residence either by notifying the registrar in writing or voting on a statement of residence before November 30 following the second general election for state and county officers that occurs after

1 the date the confirmation notice is mailed.

2 (b) The official confirmation notice response form must be
3 postage prepaid and preaddressed for delivery to the registrar.

4 (c) The official confirmation notice response form must
5 have the same requirements as a application to register to vote Sec.
6 13.002. The registrar may prescribe a different design from that
7 prescribed by the secretary of state for an official form, if
8 approved by the secretary.

9 SECTION 2. Section 63.0011, Election Code, is amended to
10 read as follows:

11 Sec. 63.0011. (a) Before a voter may be accepted for
12 voting, an election officer shall ask the voter if the voter's
13 residence address on the precinct list of registered voters is
14 current and whether the voter has changed residence within the
15 county.

16 (b) If the voter's residence address is not current because
17 the voter has changed residence within the county, the voter may
18 vote, if otherwise eligible, in the election precinct in which the
19 voter is registered if the voter resides in the county in which the
20 voter is registered and, if applicable:

21 (1) resides in the political subdivision served by the
22 authority ordering the election if the political subdivision is
23 other than the county; or

24 (2) resides in the territory covered by the election
25 in a less-than-countywide election ordered by the governor or a
26 county authority.

27 (c) Before being accepted for voting, the voter must execute

1 and submit to an election officer a statement including:

2 (1) a statement that the voter satisfies the
3 applicable residence requirements prescribed by Subsection (b);

4 ~~(2) the voter's residence address or, if the residence~~
5 ~~has no address, the address at which the voter receives mail and a~~
6 ~~concise description of the location of the voter's residence,~~

7 ~~(3) the month, day, and year of the voter's birth, and~~

8 ~~(4) the date the statement is submitted to the~~
9 ~~election officer.~~

10 (2) The Statement of residence must have the same
11 requirements as a application to register to vote Sec. 13.002.

12 (d) The voter registrar shall provide to the general
13 custodian of election records a sufficient number of statements of
14 residence for use in each election.

15 (e) The voter registrar shall retain each statement of
16 residence on file with the voter's voter registration application.

17 SECTION 3. This act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 act does not receive the vote necessary for immediate effect, this
21 Act takes effect on September 1, 2007.