

By: Anchia

H.B. No. 627

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the registration of voters at a polling place during  
3 early voting by personal appearance and related procedures.

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

5 SECTION 1. Subchapter A, Chapter 12, Election Code, is  
6 amended by adding Section 12.007 to read as follows:

7 Sec. 12.007. CERTAIN ELECTION OFFICERS ARE VOTER  
8 REGISTRARS. An election officer serving a polling place for early  
9 voting by personal appearance is a deputy voter registrar and has  
10 the same authority as a regular deputy registrar.

11 SECTION 2. Section 65.054, Election Code, is amended by  
12 amending Subsection (b) and adding Subsection (b-1) to read as  
13 follows:

14 (b) Except as provided by Subsection (b-1), a [A]  
15 provisional ballot may be accepted only if the board determines  
16 that, from the information in the affidavit or contained in public  
17 records, the person is eligible to vote in the election and has not  
18 previously voted in that election.

19 (b-1) A provisional ballot cast under Section 85.0312 shall  
20 be accepted if the voter registrar determines the applicant is  
21 eligible for registration under Section 85.0312(d).

22 SECTION 3. Subchapter B, Chapter 85, Election Code, is  
23 amended by adding Section 85.0312 to read as follows:

24 Sec. 85.0312. REGISTRATION AT POLLING PLACE DURING EARLY

1 VOTING. (a) A person who would be eligible to vote in an election  
2 under Section 11.001, but for the requirement to be a registered  
3 voter, shall be accepted during early voting by personal appearance  
4 for voting the ballot for the precinct of the person's residence as  
5 shown by the identification presented if, on the day the person  
6 offers to vote, the person:

7 (1) submits a voter registration application that  
8 complies with Section 13.002 to an election officer at the polling  
9 place; and

10 (2) presents as proof of residence:

11 (A) a Texas driver's license, including a  
12 temporary license or instruction permit, or personal  
13 identification card issued to the person by the Department of  
14 Public Safety that states the person's current address on the day  
15 the person seeks to vote; or

16 (B) a utility bill addressed to the person dated  
17 not earlier than the 30th day before the date the person seeks to  
18 vote, and:

19 (i) a Texas driver's license, including a  
20 temporary license or instruction permit, or personal  
21 identification card issued to the person by the Department of  
22 Public Safety, regardless of whether the address stated on the  
23 license or card is current on the day the person seeks to vote;

24 (ii) a United States passport issued to the  
25 person; or

26 (iii) a United States military  
27 identification card that contains the person's photograph.

1       (b) The election officer shall make a copy of the proof of  
2 residence submitted under Subsection (a)(2) and attach it to the  
3 registration application. The election officer shall return the  
4 original proof of residence to the voter.

5       (c) A person voting under this section shall vote a  
6 provisional ballot in the manner provided by Section 63.011 except  
7 that the person is not required to submit the affidavit under  
8 Section 63.011(a).

9       (d) For each registration corresponding to a ballot cast  
10 under this section, the voter registrar shall review the  
11 application and copy of the proof of residence and determine  
12 whether the applicant is eligible for registration as provided by  
13 Subchapter C, Chapter 13. The registrar shall inform the early  
14 voting ballot board of a determination made under this subsection.  
15 A registration approved under this subsection takes effect on the  
16 date the vote was cast.

17       (e) The secretary of state may by rule:

18               (1) designate additional documents that a person may  
19 offer to prove the person's residence to register and vote under  
20 this section; and

21               (2) prescribe procedures to implement this section.

22       SECTION 4. This Act takes effect September 1, 2009.