

1-1 By: Hochberg (Senate Sponsor - Duncan) H.B. No. 1457
1-2 (In the Senate - Received from the House May 8, 2009;
1-3 May 8, 2009, read first time and referred to Committee on State
1-4 Affairs; May 15, 2009, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 15, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to procedures concerning verification of certain
1-9 information submitted in a voter registration application.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter C, Chapter 13, Election Code, is
1-12 amended by adding Section 13.0725 to read as follows:

1-13 Sec. 13.0725. PROCESS FOR VERIFICATION OF APPLICANT'S TEXAS
1-14 DRIVER'S LICENSE NUMBER, DEPARTMENT OF PUBLIC SAFETY ISSUED
1-15 PERSONAL IDENTIFICATION NUMBER, OR SOCIAL SECURITY NUMBER. (a) The
1-16 secretary of state shall adopt rules establishing standards used
1-17 for the verification of information on a voter registration
1-18 application submitted by a registrar under Section
1-19 13.072(a)(2)(A). The rules shall provide a process by which the
1-20 secretary of state verifies an applicant's Texas driver's license
1-21 number or Department of Public Safety issued personal
1-22 identification card number if, based on the available information,
1-23 a minor correction in the applicant's last name or date of birth as
1-24 submitted by the registrar would lead a reasonable person to
1-25 conclude that the number submitted is the correct number for that
1-26 applicant.

1-27 (b) If available, the secretary of state shall provide the
1-28 registrar with the name and date of birth maintained by the
1-29 Department of Public Safety or other agency used in the
1-30 verification process for a submitted application that corresponds
1-31 to the Texas driver's license number, Department of Public Safety
1-32 issued personal identification card number, or social security
1-33 number submitted by the registrar for verification if:

1-34 (1) the secretary of state cannot verify the accuracy
1-35 of an applicant's Texas driver's license number, Department of
1-36 Public Safety issued personal identification card number, or social
1-37 security number as submitted by the registrar; or

1-38 (2) the secretary of state verifies the accuracy of
1-39 the number provided, but it is not a perfect match with the personal
1-40 information provided by the registrar.

1-41 (c) A registrar shall review the information provided by the
1-42 secretary of state under Subsection (b). If the registrar
1-43 determines that a governmental clerical error was made in
1-44 processing or submitting the application, the registrar shall
1-45 correct the registration record and submit a corrected record to
1-46 the secretary of state as notice of the correction, and for
1-47 verification under Section 13.072(a)(2) if the application was not
1-48 verified.

1-49 SECTION 2. Section 13.073(a), Election Code, is amended to
1-50 read as follows:

1-51 (a) Except as provided by Subsection (b), the registrar
1-52 shall deliver written notice of the reason for the rejection of an
1-53 application to the applicant not later than the second day after the
1-54 date of rejection. If an application is rejected because it was not
1-55 verified by the secretary of state under Section 13.072, the notice
1-56 shall indicate whether the last name, date of birth, Texas driver's
1-57 license number, Department of Public Safety issued personal
1-58 identification card number, or social security number was the
1-59 reason for the failure to verify, if that information is provided to
1-60 the registrar by the secretary of state under Section 13.0725.

1-61 SECTION 3. Not later than January 1, 2010, the secretary of
1-62 state shall adopt rules establishing the standards required by
1-63 Section 13.0725, Election Code, as added by this Act.

1-64 SECTION 4. This Act takes effect immediately if it receives

2-1 a vote of two-thirds of all the members elected to each house, as
2-2 provided by Section 39, Article III, Texas Constitution. If this
2-3 Act does not receive the vote necessary for immediate effect, this
2-4 Act takes effect September 1, 2009.

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