

By: Farias

H.B. No. 4389

Substitute the following for H.B. No. 4389:

By: Rose

C.S.H.B. No. 4389

A BILL TO BE ENTITLED

1 AN ACT
2 relating to procedures and forms for combining health and human
3 services benefits applications with voter registration
4 applications.

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

6 SECTION 1. Chapter 20, Election Code, is amended by adding
7 Subchapter F to read as follows:

8 SUBCHAPTER F. HEALTH AND HUMAN SERVICES COMMISSION AND HEALTH AND
9 HUMAN SERVICES AGENCIES

10 Sec. 20.151. DEFINITIONS. In this subchapter:

11 (1) "Commission" means the Health and Human Services
12 Commission.

13 (2) "Executive commissioner" means the executive
14 commissioner of the Health and Human Services Commission.

15 (3) "Health and human services agencies" has the
16 meaning assigned by Section 531.001, Government Code.

17 Sec. 20.152. APPLICABILITY OF OTHER PROVISIONS. The other
18 provisions of this chapter apply to the commission and health and
19 human services agencies except provisions that conflict with this
20 subchapter.

21 Sec. 20.153. FORMS AND PROCEDURES. (a) The executive
22 commissioner shall prescribe and require use by the commission and
23 health and human services agencies of forms and procedures that
24 combine each application form for a benefits program administered

1 by the commission or a health and human services agency with an
2 officially prescribed voter registration application form.

3 (b) The executive commissioner shall prescribe and require
4 use by the commission and health and human services agencies of a
5 change of address form and procedure that combines commission or
6 health and human services agency functions and voter registration
7 functions. The form must allow a recipient of benefits to indicate
8 whether the change of address is also to be used for voter
9 registration purposes.

10 (c) The design, content, and physical characteristics of
11 the forms required by this section must be approved by the secretary
12 of state.

13 (d) Forms required under this section must include the
14 following statement in a prominent location: "If you are not a
15 citizen of the United States, it is illegal for you to register to
16 vote."

17 Sec. 20.154. REGISTRATION PROCEDURES. (a) If a person
18 completes a voter registration application provided under Section
19 20.153, the commission or health and human services agency, as
20 appropriate, shall:

21 (1) input the information provided on the application
22 into the commission's or agency's electronic data system; and

23 (2) inform the applicant that the applicant's
24 electronic signature provided to the commission or agency will be
25 used for submitting the applicant's voter registration
26 application.

27 (b) Not later than the fifth day after the date an applicant

1 completes a voter registration application and provides an
2 electronic signature to the commission or health and human services
3 agency, the commission or agency, as applicable, shall
4 electronically transfer the applicant's voter registration data,
5 including the applicant's signature, to the secretary of state.

6 (c) The secretary of state shall prescribe additional
7 procedures as necessary to implement this section.

8 Sec. 20.155. DECLINATION FORM NOT REQUIRED. The commission
9 and the health and human services agencies are not required to
10 comply with the procedures prescribed by this chapter relating to
11 the form for a declination of voter registration.

12 SECTION 2. The executive commissioner of the Health and
13 Human Services Commission shall prescribe the forms and procedures
14 necessary to implement Subchapter F, Chapter 20, Election Code, as
15 added by this Act, not later than January 1, 2011.

16 SECTION 3. This Act takes effect September 1, 2009.