

By: Harris

S.B. No. 268

A BILL TO BE ENTITLED

AN ACT

relating to the cancellation of the voter registrations of persons who are not United States citizens.

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

SECTION 1. Section 62.0142, Government Code, is amended to read as follows:

Sec. 62.0142. NOTICE ON WRITTEN SUMMONS. If a written summons for jury duty allows a person to claim a disqualification or exemption by signing a statement and returning it to the clerk of the court, the form must notify the person that by claiming a disqualification or exemption based on the lack of citizenship or lack of residence in the county the person shall ~~[might]~~ no longer be eligible to vote in the county.

SECTION 2. Subsection (b), Section 62.113, Government Code, is amended to read as follows:

(b) On the third business day of each month, the clerk shall send a copy of the list of persons excused or disqualified because of citizenship in the previous month to the voter registrar of the county and the secretary of state.

SECTION 3. Section 16.0332, Election Code, is amended to read as follows:

Sec. 16.0332. CANCELLATION BECAUSE OF CITIZENSHIP STATUS.
(a) After the secretary of state receives a list under Section 62.113, Government Code, of persons excused or disqualified from

1 jury service because of citizenship status, the secretary of state
2 shall cancel the voter registration of each registered voter whose
3 name appears on the list.

4 (b) After the registrar receives a list under Section
5 62.113, Government Code, of persons excused or disqualified from
6 jury service because of citizenship status, the registrar shall
7 deliver to each registered voter whose name appears on the list [a]
8 written notice that the person's voter registration has been
9 canceled [~~requiring the voter to submit to the registrar proof of~~
10 ~~United States citizenship in the form of a certified copy of the~~
11 ~~voter's birth certificate, United States passport, or certificate~~
12 ~~of naturalization or any other form prescribed by the secretary of~~
13 ~~state. The notice shall be delivered by forwardable mail to the~~
14 ~~mailing address on the voter's registration application and to any~~
15 ~~new address of the voter known to the registrar].~~

16 [~~(b) If a voter fails to submit to the registrar proof of~~
17 ~~citizenship on or before the 30th day after the date the notice is~~
18 ~~mailed, the registrar shall cancel the voter's registration.~~

19 [~~(c) The registrar shall retain a copy of the notice mailed~~
20 ~~to a voter under this section on file with the voter's registration~~
21 ~~application. The registrar shall also retain any proof of~~
22 ~~citizenship received under this section on file with the~~
23 ~~application.]~~

24 SECTION 4. Subsection (c), Section 16.036, Election Code,
25 is amended to read as follows:

26 (c) The notice must include:

27 (1) the date of cancellation;

- 1 (2) the reason for cancellation; and
2 (3) a brief explanation of the voter's right to
3 challenge the cancellation and to appeal the [~~registrar's~~] decision
4 of the registrar or secretary of state, as applicable.

5 SECTION 5. The changes in law made by this Act apply only to
6 a person summoned for jury duty on or after the effective date of
7 this Act. A person summoned for jury duty before the effective date
8 of this Act is governed by the law in effect immediately before the
9 effective date of this Act, and the former law is continued in
10 effect for that purpose.

11 SECTION 6. This Act takes effect September 1, 2009.