

By: Patrick, Dan

S.B. No. 391

A BILL TO BE ENTITLED

AN ACT

relating to certain election practices and procedures.

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

SECTION 1. Section 13.031(d), Election Code, is amended to read as follows:

(d) To be eligible for appointment as a volunteer deputy registrar, a person must be eligible to register to vote in the county served by the registrar [~~18 years of age or older~~].

SECTION 2. Section 13.032, Election Code, is amended to read as follows:

Sec. 13.032. PROHIBITION ON REFUSING TO APPOINT. A registrar may not refuse to appoint as a volunteer deputy registrar:

(1) a person eligible to register to vote in [~~resident of~~] the county served by the registrar; or

(2) any person on the basis of sex, race, creed, color, or national origin or ancestry.

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 jury service because of citizenship status, the secretary of state shall cancel the voter registration of each registered voter whose

1 name appears on the list.

2 **(b)** After the registrar receives a list under Section
3 62.113, Government Code, of persons excused or disqualified from
4 jury service because of citizenship status, the registrar shall
5 deliver to each registered voter whose name appears on the list ~~[a]~~
6 written notice that the person's voter registration has been
7 canceled ~~[requiring the voter to submit to the registrar proof of~~
8 ~~United States citizenship in the form of a certified copy of the~~
9 ~~voter's birth certificate, United States passport, or certificate~~
10 ~~of naturalization or any other form prescribed by the secretary of~~
11 ~~state. The notice shall be delivered by forwardable mail to the~~
12 ~~mailing address on the voter's registration application and to any~~
13 ~~new address of the voter known to the registrar].~~

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

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

22 SECTION 4. Section 16.036(c), Election Code, is amended to
23 read as follows:

24 (c) The notice must include:

- 25 (1) the date of cancellation;
- 26 (2) the reason for cancellation; and
- 27 (3) a brief explanation of the voter's right to

1 challenge the cancellation and to appeal the [~~registrar's~~] decision
2 of the registrar or secretary of state, as applicable.

3 SECTION 5. Section 85.001(e), Election Code, is amended to
4 read as follows:

5 (e) For an election held on the uniform election date in May
6 and any resulting runoff election, the period for early voting by
7 personal appearance begins on the 12th day before election day and
8 continues through the fourth day before election day.

9 SECTION 6. Section 123.032(d), Election Code, is amended to
10 read as follows:

11 (d) The maximum amount that a county in which a political
12 subdivision is wholly or partly situated may charge the political
13 subdivision for leasing county-owned equipment is 10 percent of the
14 purchase price of the equipment [~~for each day the equipment is~~
15 ~~leased~~].

16 SECTION 7. Section 62.0142, Government Code, is amended to
17 read as follows:

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

25 SECTION 8. Section 62.113(b), Government Code, is amended
26 to read as follows:

27 (b) On the third business day of each month, the clerk shall

1 send a copy of the list of persons excused or disqualified because
2 of citizenship in the previous month to the voter registrar of the
3 county and the secretary of state.

4 SECTION 9. The appointment of a person serving as a
5 volunteer deputy registrar who does not meet the eligibility
6 requirements of Section 13.031(d), Election Code, as amended by
7 this Act, expires on the effective date of this Act. The secretary
8 of state shall prescribe procedures necessary to implement this
9 section.

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

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