

By: Ellis, et al.

S.B. No. 1867

Substitute the following for S.B. No. 1867:

By: Allen

C.S.S.B. No. 1867

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to procedures related to the placement of a voter on the  
3 suspense list.

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

5 SECTION 1. Section 14.022, Election Code, is amended to  
6 read as follows:

7 Sec. 14.022. ERRONEOUS RETURN OF RENEWAL CERTIFICATE. (a)  
8 A voter registrar shall determine whether [~~If the registrar~~  
9 ~~determines that~~] a voter's renewal certificate was returned  
10 undelivered solely because of postal service error, address  
11 reclassification, or the registrar's clerical error. If the  
12 registrar determines that the certificate was returned solely  
13 because of that error or reclassification, the registrar shall  
14 delete the voter's name from the suspense list, make any other  
15 appropriate corrections in the registration records, and deliver  
16 the certificate to the voter.

17 (b) The secretary of state shall adopt rules for the  
18 determination under this section of whether a voter's renewal  
19 certificate was returned undelivered solely because of postal  
20 service error, address reclassification, or the registrar's  
21 clerical error.

22 SECTION 2. Section 16.032, Election Code, is amended to  
23 read as follows:

24 Sec. 16.032. CANCELLATION FOLLOWING END OF SUSPENSE LIST

1 PERIOD. (a) If on November 30 following the second general  
2 election for state and county officers that occurs after the date  
3 the voter's name is entered on the suspense list a registered  
4 voter's name appears on the suspense list, the registrar shall  
5 cancel the voter's registration unless the name is to be deleted  
6 from the list under Section 15.023.

7 (b) For purposes of Subsection (a), if a voter whose name  
8 appears on the suspense list is shown to have voted in an election  
9 and the name is not to be deleted from the list under Section  
10 15.023, the date on which the voter is considered to have been  
11 entered on the suspense list is the date of the most recent election  
12 in which the voter voted.

13 SECTION 3. Section 63.0011, Election Code, is amended by  
14 adding Subsection (f) to read as follows:

15 (f) The secretary of state shall adopt rules to provide for  
16 the uniform and auditable processing of a statement of residence  
17 required under this section.

18 SECTION 4. The change in law made by this Act to Section  
19 14.022, Election Code, applies only to a voter registration renewal  
20 certificate returned undelivered and received by a voter registrar  
21 on or after the effective date of this Act. A voter registration  
22 renewal certificate returned undelivered and received by a voter  
23 registrar before the effective date of this Act is governed by the  
24 law in effect when the registrar received the undelivered  
25 certificate, and the former law is continued in effect for that  
26 purpose.

27 SECTION 5. This Act takes effect September 1, 2009.