

## **BILL ANALYSIS**

H.B. 174  
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Elections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law defines a qualified voter as a United States citizen but does not require or provide a method for verifying and enforcing the requirements to vote, including the citizenship requirement. H.B. 174 addresses this problem by providing a way through which a deceased person and a person ineligible to vote due to citizenship status may be removed from a voter registration list.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 174 amends the Election Code to include the secretary of state as a recipient of the monthly abstract a local registrar of deaths must file of each death certificate issued in the month for a decedent 18 years of age or older who was a resident of this state at the time of death and the monthly abstract the clerk of each court having probate jurisdiction must file of each application for probate of a will, administration of a decedent's estate, or determination of heirship, and each affidavit relating to the collection of small estates, that is filed in the month with a court served by the clerk.

H.B. 174 amends the Government Code to expand the entities to which the clerk of a county or district court is required each month to send a copy of the list of persons excused or disqualified from jury service because of citizenship in the previous month to include the secretary of state and the county or district attorney, as applicable, for an investigation of whether the person committed an offense relating to a false statement on a voter registration application or an offense under other law.

H.B. 174 amends the Election Code to require the secretary of state to compare quarterly the monthly abstracts and the lists of persons excused or disqualified from jury service because of citizenship, as described by the bill, with the statewide computerized voter registration list. The bill requires the secretary of state, if it is determined that a voter on the registration list is deceased or has been excused or disqualified from jury service because the voter is not a citizen, to send notice of the determination to the voter registrar of the counties considered appropriate by the secretary of state. The bill includes as a condition under which the voter registrar of a county must immediately cancel a voter's registration that the registrar receives notice from the secretary of state, after such a comparison of information regarding ineligibility, that the voter is deceased. The bill adds the secretary of state's comparison of information regarding ineligibility to the uses of a list of persons excused or disqualified because of citizenship that are not prohibited.

H.B. 174 amends the Government Code to require the questionnaire to obtain certain biographical and demographic information that accompanies a written jury summons to notify a

person that if the person states that the person is not a citizen, the person will no longer be eligible to vote if the person fails to provide proof of citizenship. The bill requires the form in a written summons for jury duty allowing a person to claim a disqualification or exemption from jury duty based on the lack of citizenship to notify the person that making such a claim means the person will no longer be eligible to vote if the person fails to provide proof of citizenship, rather than that the person might no longer be eligible to vote in the county.

H.B. 174 makes a conforming change.

**EFFECTIVE DATE**

September 1, 2011.