

BILL ANALYSIS

C.S.H.B. 1925
By: Zedler
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerned parties claim that political organizations currently are able to bring out-of-state temporary workers into Texas to conduct massive voter registration drives, which can result in a large number of inaccurate and possibly fraudulent voter registration applications. These parties also assert that deputy and volunteer registrars currently receive minimal training to ensure that voter registrations are prepared in accordance with state law. C.S.H.B. 1925 proposes to address these problems by making it a criminal offense for a person who is not a citizen of the United States to attempt to register to vote and by requiring deputy and volunteer registrars to meet certain training and other requirements.

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

C.S.H.B. 1925 amends the Election Code to increase from a Class B misdemeanor to a Class A misdemeanor the penalty for knowingly making a false statement, or requesting, commanding, or attempting to induce another person to make a false statement, on a voter registration application. The bill makes it a state jail felony offense for a person who is not a citizen of the United States to submit an application for registration as a Texas voter or to request, command, or attempt to induce another to submit on the person's behalf a voter registration application.

C.S.H.B. 1925 includes, in the information that must appear on an officially prescribed voter registration application form, in the applicant's statement of understanding that, in addition to other offenses cited in the statement, submitting a voter registration or voting as a noncitizen is also a crime under state law. The bill provides that the statement on the form warning that a conviction of certain offenses may result in specified penalties refers to a conviction of an offense under the Election Code, rather than a conviction for making a false statement.

C.S.H.B. 1925 specifies, in the requirement that the sworn statement a voter desiring to challenge a voter registration must file with the county voter registrar state a specific qualification for registration that the challenged voter has not met based on certain evidence, that such qualification may be as evidenced by documentation.

C.S.H.B. 1925 includes in the eligibility requirements for appointment as a volunteer deputy registrar that the person have resided continuously in Texas for the six months immediately preceding the date of appointment and have been a registered voter for that period. The bill specifies that the appointment of a person serving as a volunteer deputy registrar who does not meet the eligibility requirements expires on the effective date of the bill and requires the secretary of state to prescribe procedures necessary to implement this provision.

C.S.H.B. 1925 includes among the grounds for terminating the appointment of a volunteer

deputy registrar the submission of an incomplete or late registration application or apparent evidence of forgery by the deputy in the completion of a registration application.

C.S.H.B. 1925 requires the secretary of state, not later than January 1, 2012, to adopt standards of training in election law for deputy registrars relating to the registration of voters, develop materials for a standardized curriculum for that training, and distribute the materials as necessary to each county voter registrar. The bill authorizes the training standards to include the passage of an examination at the end of a training program. The bill prohibits a volunteer deputy registrar from receiving another person's registration application until the deputy registrar has completed the required training. The bill requires the county voter registrar, at the time of the appointment of the volunteer deputy registrar, to provide information about the times and places at which training is offered.

C.S.H.B. 1925 provides that the changes in law made by the bill's provisions apply only to a deputy voter registrar appointed on or after the date the secretary of state adopts the required training standards.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1925 omits provisions included in the original setting out the eligibility requirements for a regular deputy registrar and the conditions under which an appointment as a regular deputy registrar is terminated. The substitute omits a provision included in the original requiring the voter registrar of a county to reject all registration applications received by a person purporting to act as a deputy registrar after the person's appointment is terminated. The substitute differs from the original in nonsubstantive ways.