

By: Smith of Tarrant

H.B. No. 1338

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the requirement that a voter provide proof of  
3 citizenship when registering to vote.

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

5 SECTION 1. Section 13.002, Election Code, is amended by  
6 amending Subsection (c) and adding Subsection (i) to read as  
7 follows:

8 (c) A registration application must include:

9 (1) the applicant's first name, middle name, if any,  
10 last name, and former name, if any;

11 (2) the month, day, and year of the applicant's birth;

12 (3) a statement that the applicant is a United States  
13 citizen;

14 (4) a statement that the applicant is a resident of the  
15 county;

16 (5) a statement that the applicant has not been  
17 determined by a final judgment of a court exercising probate  
18 jurisdiction to be:

19 (A) totally mentally incapacitated; or

20 (B) partially mentally incapacitated without the  
21 right to vote;

22 (6) a statement that the applicant has not been  
23 finally convicted of a felony or that the applicant is a felon  
24 eligible for registration under Section 13.001;

1           (7) the applicant's residence address or, if the  
2 residence has no address, the address at which the applicant  
3 receives mail and a concise description of the location of the  
4 applicant's residence;

5           (8) the following information:

6           (A) the applicant's Texas driver's license number  
7 or the number of a personal identification card issued by the  
8 Department of Public Safety;

9           (B) if the applicant has not been issued a number  
10 described by Paragraph (A), the last four digits of the applicant's  
11 social security number; or

12           (C) a statement by the applicant that the  
13 applicant has not been issued a number described by Paragraph (A) or  
14 (B);

15           (9) if the application is made by an agent, a statement  
16 of the agent's relationship to the applicant; ~~and~~

17           (10) the city and county in which the applicant  
18 formerly resided; and

19           (11) if the applicant has not been registered to vote  
20 in the county continuously since September 1, 2011, proof of the  
21 voter's United States citizenship through a certified copy of a  
22 birth certificate or other document prescribed by the secretary of  
23 state.

24           (i) The secretary of state by rule may prescribe the  
25 documents that may be used as proof of a voter's United States  
26 citizenship under Subsection (c)(11).

27           SECTION 2. Section 13.121(a), Election Code, is amended to

1 read as follows:

2 (a) The officially prescribed application form for  
3 registration by mail must be in the form of [~~a~~] business reply mail  
4 [~~postcard~~], unless another form or system is used under Subsection  
5 (b), with postage paid by the state. The secretary of state shall  
6 design the form to enhance the legibility of its contents.

7 SECTION 3. The change in law made by this Act to Section  
8 13.002, Election Code, applies to a voter registration application  
9 submitted on or after September 1, 2011.

10 SECTION 4. This Act takes effect September 1, 2011.