

By: Eiland

H.B. No. 1533

A BILL TO BE ENTITLED

AN ACT

relating to voter registration.

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

SECTION 1. Title 2, Election Code, is amended by adding Chapter 11A to read as follows:

CHAPTER 11A. VOTER IDENTIFICATION

Sec. 11A.001. APPLICABILITY. (a) Except as provided by Subsection (b), this chapter supersedes a provision of this code or a statute outside this code to the extent of any conflict.

(b) This chapter does not apply to the voter registration of a person who is 65 years of age or older. This subsection expires September 1, 2031.

Sec. 11A.002. DEFINITION. In this chapter, "department" means the Department of Public Safety.

Sec. 11A.003. VOTER IDENTIFICATION ISSUED BY DEPARTMENT. (a) The secretary of state shall adopt rules in conjunction with the department to establish a process by which the issuance of a driver's license or a personal identification card by the department is the sole means of voter identification for the purposes of being accepted for voting.

(b) The process established under this section must:

(1) phase out the use of voter registration certificates; and

(2) provide for the encryption of a person's voter

1 registration number on the person's driver's license or personal
2 identification card.

3 Sec. 11A.004. RULES. (a) The secretary of state shall adopt
4 rules as necessary for the implementation and administration of
5 this chapter.

6 (b) The department shall adopt rules as necessary for the
7 implementation and administration of this chapter.

8 SECTION 2. Subchapter A, Chapter 12, Election Code, is
9 amended by adding Section 12.007 to read as follows:

10 Sec. 12.007. CERTAIN ELECTION OFFICERS ARE VOTER
11 REGISTRARS. An election officer serving a polling place for early
12 voting by personal appearance is a deputy voter registrar and has
13 the same authority as a regular deputy registrar.

14 SECTION 3. Section 65.054, Election Code, is amended by
15 amending Subsection (b) and adding Subsection (b-1) to read as
16 follows:

17 (b) Except as provided by Subsection (b-1), a [A]
18 provisional ballot may be accepted only if the board determines
19 that, from the information in the affidavit or contained in public
20 records, the person is eligible to vote in the election and has not
21 previously voted in that election.

22 (b-1) A provisional ballot cast under Section 85.0312 shall
23 be accepted if the voter registrar determines the applicant is
24 eligible for registration under Section 85.0312(d).

25 SECTION 4. Subchapter B, Chapter 85, Election Code, is
26 amended by adding Section 85.0312 to read as follows:

27 Sec. 85.0312. REGISTRATION AT POLLING PLACE DURING EARLY

1 VOTING. (a) A person who would be eligible to vote in an election
2 under Section 11.001, but for the requirement to be a registered
3 voter, shall be accepted during early voting by personal appearance
4 for voting the ballot for the precinct of the person's residence as
5 shown by the identification presented if, on the day the person
6 offers to vote, the person:

7 (1) submits a voter registration application that
8 complies with Section 13.002 to an election officer at the polling
9 place; and

10 (2) presents as proof of residence:

11 (A) a Texas driver's license, including a
12 temporary license or instruction permit, or personal
13 identification card issued to the person by the Department of
14 Public Safety that states the person's current address on the day
15 the person seeks to vote; or

16 (B) a utility bill addressed to the person dated
17 not earlier than the 30th day before the date the person seeks to
18 vote, and:

19 (i) a Texas driver's license, including a
20 temporary license or instruction permit, or personal
21 identification card issued to the person by the Department of
22 Public Safety, regardless of whether the address stated on the
23 license or card is current on the day the person seeks to vote;

24 (ii) a United States passport issued to the
25 person; or

26 (iii) a United States military
27 identification card that contains the person's photograph.

1 (b) The election officer shall make a copy of the proof of
2 residence submitted under Subsection (a)(2) and attach it to the
3 registration application. The election officer shall return the
4 original proof of residence to the voter.

5 (c) A person voting under this section shall vote a
6 provisional ballot in the manner provided by Section 63.011 except
7 that the person is not required to submit the affidavit under
8 Section 63.011(a).

9 (d) For each registration corresponding to a ballot cast
10 under this section, the voter registrar shall review the
11 application and copy of the proof of residence and determine
12 whether the applicant is eligible for registration as provided by
13 Subchapter C, Chapter 13. The registrar shall inform the early
14 voting ballot board of a determination made under this subsection.
15 A registration approved under this subsection takes effect on the
16 date the vote was cast.

17 (e) The secretary of state may by rule:

18 (1) designate additional documents that a person may
19 offer to prove the person's residence to register and vote under
20 this section; and

21 (2) prescribe procedures to implement this section.

22 SECTION 5. Not later than January 1, 2012, the secretary of
23 state and the Department of Public Safety shall adopt rules
24 required to implement the changes in law made by this Act.

25 SECTION 6. This Act takes effect September 1, 2011.