

By: Zedler

H.B. No. 1925

A BILL TO BE ENTITLED

AN ACT

relating to voter registration; creating an offense.

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

SECTION 1. Section 12.006, Election Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

(a) The registrar may appoint one or more deputy registrars to assist in the registration of voters, subject to Subsection (e).

(e) To be eligible for appointment as a regular deputy registrar under this section, a person must, for the six months immediately preceding the date of appointment:

(1) have resided continuously in this state; and

(2) have been a registered voter.

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

Sec. 12.007. TERMINATION OF APPOINTMENT. (a) An appointment as a deputy registrar is terminated on:

(1) the submission of an incomplete or late registration application; or

(2) apparent evidence of forgery by the deputy in the completion of a registration application.

(b) Immediately on the termination of an appointment, the registrar shall deliver written notice of the termination to the deputy, directing the deputy:

1 (1) to stop activity as a deputy registrar
2 immediately; and

3 (2) to deliver the certificate of appointment, receipt
4 forms, and registration applications and receipts in the deputy's
5 possession to the registrar not later than the second day after the
6 date the deputy receives the termination notice.

7 (c) The registrar shall reject all registration
8 applications received by a person purporting to act as a deputy
9 registrar after the person's appointment is terminated.

10 SECTION 3. Section 13.007(b), Election Code, is amended to
11 read as follows:

12 (b) An offense under this section is a Class A [~~B~~]
13 misdemeanor.

14 SECTION 4. Subchapter A, Chapter 13, Election Code, is
15 amended by adding Section 13.008 to read as follows:

16 Sec. 13.008. UNLAWFUL APPLICATION BY PERSON WHO IS NOT
17 UNITED STATES CITIZEN. (a) A person commits an offense if the
18 person is not a citizen of the United States and the person:

19 (1) submits an application for registration as a voter
20 in this state; or

21 (2) requests, commands, or attempts to induce another
22 to submit on the person's behalf a registration application.

23 (b) An offense under this section is a state jail felony.

24 SECTION 5. Section 13.031, Election Code, is amended by
25 amending Subsection (d) and adding Subsection (e) to read as
26 follows:

27 (d) To be eligible for appointment as a volunteer deputy

1 registrar, a person must:

2 (1) be 18 years of age or older; [~~and~~]

3 (2) not have been finally convicted of a felony or, if
4 so convicted, must have:

5 (A) fully discharged the person's sentence,
6 including any term of incarceration, parole, or supervision, or
7 completed a period of probation ordered by any court; or

8 (B) been pardoned or otherwise released from the
9 resulting disability to vote; and

10 (3) for the six months immediately preceding the date
11 of appointment:

12 (A) have resided continuously in this state; and

13 (B) have been a registered voter.

14 (e) A volunteer deputy registrar appointed under this
15 section may not receive another person's registration application
16 until the deputy registrar has completed training developed under
17 Section 13.047. At the time of appointment, the voter registrar
18 shall provide information about the times and places at which
19 training is offered.

20 SECTION 6. Section 13.036(a), Election Code, is amended to
21 read as follows:

22 (a) An appointment as a volunteer deputy registrar is
23 terminated on:

24 (1) the expiration of the volunteer deputy's term of
25 appointment; [~~or~~]

26 (2) the final conviction of the volunteer deputy for
27 an offense prescribed by Section 13.043;

1 (3) the submission of an incomplete or late
2 registration application; or

3 (4) apparent evidence of forgery by the volunteer
4 deputy in the completion of a registration application.

5 SECTION 7. Subchapter B, Chapter 13, Election Code, is
6 amended by adding Section 13.047 to read as follows:

7 Sec. 13.047. TRAINING STANDARDS FOR DEPUTY REGISTRARS. (a)
8 The secretary of state shall:

9 (1) adopt standards of training in election law
10 relating to the registration of voters;

11 (2) develop materials for a standardized curriculum
12 for that training; and

13 (3) distribute the materials as necessary to each
14 county voter registrar.

15 (b) The training standards may include the passage of an
16 examination at the end of a training program.

17 SECTION 8. Section 13.122(a), Election Code, is amended to
18 read as follows:

19 (a) In addition to the other statements and spaces for
20 entering information that appear on an officially prescribed
21 registration application form, each official form must include:

22 (1) the statement: "I understand that giving false
23 information to procure a voter registration is perjury and a crime
24 under state and federal law and that submitting a voter
25 registration or voting as a noncitizen is also a crime under state
26 law.";

27 (2) a space for the applicant's registration number;

1 (3) a space for the applicant's Texas driver's license
2 number or number of a personal identification card issued by the
3 Department of Public Safety;

4 (4) a space for the applicant's telephone number;

5 (5) a space for the applicant's social security
6 number;

7 (6) a space for the applicant's sex;

8 (7) a statement indicating that the furnishing of the
9 applicant's telephone number and sex is optional;

10 (8) a space or box for indicating whether the
11 applicant or voter is submitting new registration information or a
12 change in current registration information;

13 (9) a statement instructing a voter who is using the
14 form to make a change in current registration information to enter
15 the voter's name and the changed information in the appropriate
16 spaces on the form;

17 (10) a statement that if the applicant declines to
18 register to vote, that fact will remain confidential and will be
19 used only for voter registration purposes;

20 (11) a statement that if the applicant does register
21 to vote, information regarding the agency or office to which the
22 application is submitted will remain confidential and will be used
23 only for voter registration purposes;

24 (12) a space or box for indicating whether the
25 applicant is interested in working as an election judge;

26 (13) a statement warning that a conviction of an
27 offense under this code [~~for making a false statement~~] may result in

1 imprisonment for up to the maximum amount of time provided by law, a
2 fine of up to the maximum amount provided by law, or both the
3 imprisonment and the fine; and

4 (14) any other voter registration information
5 required by federal law or considered appropriate and required by
6 the secretary of state.

7 SECTION 9. Section 16.092, Election Code, is amended to
8 read as follows:

9 Sec. 16.092. SWORN STATEMENT REQUIRED. A voter desiring to
10 challenge a registration must file with the registrar a sworn
11 statement of the grounds for the challenge that:

12 (1) identifies the voter whose registration is being
13 challenged; and

14 (2) states a specific qualification for registration
15 that the challenged voter has not met based on the personal
16 knowledge of the voter desiring to challenge the registration or as
17 evidenced by documentation.

18 SECTION 10. The appointment of a person serving as a regular
19 deputy registrar or volunteer deputy registrar who does not meet
20 the eligibility requirements of Section 12.006 or 13.031, Election
21 Code, as amended by this Act, expires on the effective date of this
22 Act. The secretary of state shall prescribe procedures necessary
23 to implement this section.

24 SECTION 11. The secretary of state shall adopt training
25 standards under Section 13.047, Election Code, as added by this
26 Act, not later than January 1, 2012.

27 SECTION 12. The changes in law made by this Act apply only

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1 to a deputy voter registrar appointed on or after the date the
2 secretary of state adopts training standards under Section 13.047,
3 Election Code, as added by this Act.

4 SECTION 13. This Act takes effect September 1, 2011.