

BILL ANALYSIS

C.S.H.B. 313
By: Strama
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

State and local governments in Texas have increased citizens' access to basic government services through the Internet. Interested parties report that a number of other states have passed legislation establishing online voter registration because of the convenience, cost savings, and decrease in errors, including clerical discrepancies, applications being lost in the mail, and problems with inaccurate information. C.S.H.B. 313 seeks to lower the rate of voter registration errors and reduce costs by providing voter registration applicants with a secure and convenient means of registering electronically.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the secretary of state in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 313 amends the Election Code to require the secretary of state to implement a program to allow a person to complete a voter registration application over the Internet from the state's official website and to require the websites of the secretary of state and the Department of Public Safety (DPS) to provide a link to the application's location on the state's official website.

C.S.H.B. 313 requires an applicant for electronic voter registration who has an unexpired driver's license or personal identification card issued in Texas to attest to the truth of the information provided on the application by affirmatively accepting the information as true and to affirmatively consent to the use of the signature on the applicant's driver's license or personal identification card for voter registration purposes. The bill requires a digital copy of such an applicant's signature to be obtained from DPS for each submitted application.

C.S.H.B. 313 requires an applicant for electronic voter registration who does not have an unexpired driver's license or personal identification card issued in Texas to attest to the truth of the information provided on the application by affirmatively accepting the information as true and to print a registration application from the website the applicant is using to register, sign the application, and mail it to the registrar. The bill requires the program, for each application submitted by such an applicant, to provide the applicant with a registration application that the applicant can print from the registration website, sign, and mail to the registrar and information about how the applicant can obtain a driver's license or personal identification card from DPS.

C.S.H.B. 313 establishes that an application submitted under the bill's provisions is considered as an application submitted by mail for all purposes relating to voter qualifications and registration. The bill requires the secretary of state to adopt rules as necessary to implement the bill's provisions, including rules to provide for additional security measures necessary to ensure the accuracy and integrity of electronically submitted voter registration applications. The bill requires such rules to require that the Internet website through which a person is authorized to complete a voter registration application include a description of the offense of making a false

statement on a registration application in a conspicuous location on the website near the place where the person begins or submits the application and that the state electronic Internet portal project be used to authenticate the identity of a person who submits an application electronically under this section.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 313 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter A, Chapter 13, Election Code, is amended by adding Section 13.009 to read as follows:

Sec. 13.009. ELECTRONIC VOTER REGISTRATION. (a) The secretary of state shall implement a program to allow a person who has a valid driver's license or personal identification card issued in this state to complete a voter registration application over the Internet from the official website of this state and the websites of the secretary of state, the Department of Public Safety, and counties participating in the program.

(b) An applicant for electronic voter registration must:

- (1) attest to the truth of the information provided on the application by affirmatively accepting the information as true; and
- (2) affirmatively consent to the use of the address and signature on the applicant's driver's license or personal identification card for voter registration purposes.

(c) For each application submitted, the program shall require that a digital copy of

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter A, Chapter 13, Election Code, is amended by adding Section 13.009 to read as follows:

Sec. 13.009. ELECTRONIC VOTER REGISTRATION. (a) The secretary of state shall implement a program to allow a person to complete a voter registration application over the Internet from the official website of this state. The websites of the secretary of state and the Department of Public Safety must also provide a link to the location of the application on the official website of this state.

(b) An applicant for electronic voter registration who has an unexpired driver's license or personal identification card issued in this state must:

- (1) attest to the truth of the information provided on the application by affirmatively accepting the information as true; and
- (2) affirmatively consent to the use of the signature on the applicant's driver's license or personal identification card for voter registration purposes.

(c) An applicant for electronic voter registration who does not have an unexpired driver's license or personal identification card issued in this state must:

- (1) attest to the truth of the information provided on the application by affirmatively accepting the information as true; and
- (2) print a registration application from the website the applicant is using to register, sign the application, and mail it to the registrar.

(d) For each application submitted under Subsection (b), the program shall require

the applicant's signature be obtained from the Department of Public Safety.

(d) An application submitted under this section is considered for all purposes as an application submitted by mail under this title.

(e) The secretary of state shall adopt rules as necessary to implement this section, including rules to provide for additional security measures necessary to ensure the accuracy and integrity of applications submitted electronically.

(f) The rules adopted under Subsection (e) must require that each Internet website through which a person may complete a voter registration application include a description of the offense described by Section 13.007 in a conspicuous location on the website near the place where the person begins or submits the application.

SECTION 2. This Act takes effect September 1, 2013.

that a digital copy of the applicant's signature be obtained from the Department of Public Safety.

(e) For each application submitted under Subsection (c), the program shall provide the applicant with:

(1) a registration application that the applicant can print from the registration website, sign, and mail to the registrar as required under Subsection (c)(2); and

(2) information about how the applicant can obtain a driver's license or personal identification card from the Department of Public Safety.

(f) An application submitted under this section is considered for all purposes as an application submitted by mail under this title.

(g) The secretary of state shall adopt rules as necessary to implement this section, including rules to provide for additional security measures necessary to ensure the accuracy and integrity of applications submitted electronically.

(h) The rules adopted under Subsection (g) must require that:

(1) the Internet website through which a person may complete a voter registration application include a description of the offense described by Section 13.007 in a conspicuous location on the website near the place where the person begins or submits the application; and

(2) the state electronic Internet portal project be used to authenticate the identity of a person who submits an application electronically under this section.

SECTION 2. Same as introduced version.