

## **BILL ANALYSIS**

C.S.H.B. 966  
By: Murphy  
Elections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerned parties report that voters have completed voter registration certificates with addresses of vacant lots, mailbox stores, motels, and commercial locations because current law does not adequately define the characteristics of a voter's residence address. C.S.H.B. 966 seeks to ensure that a voter registers to vote with the voter's current residence address.

### **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. 966 amends the Election Code to establish, for purposes of voter registration, that a person's residence is established at the first residence address in the following list that is applicable to the person:

- the address stated on a driver's license issued to the person by the Department of Public Safety (DPS) that has not expired or, if the person has notified DPS of a change of address, the new address contained in the notification;
- the address stated on a personal identification card issued to the person by DPS that has not expired or, if the person has notified DPS of a change of address, the new address contained in the notification;
- the address stated on a license to carry a concealed handgun issued to the person by DPS that has not expired or, if the person has notified DPS of a change of address, the new address contained in the notification;
- an address corresponding to a residence at which the person receives mail, other than a mailing address that is a commercial post office box or similar location not corresponding to a residence; or
- the address the person claims as a homestead in Texas.

The bill authorizes a person whose residence in Texas has no address to establish residence by executing an affidavit stating that the person's residence in Texas has no address and filing the affidavit with the secretary of state. The bill's provisions do not apply to a person who is a member of the U.S. military or a member's spouse or dependent or to a person enrolled as a full-time student at an institution of higher education. The bill requires the secretary of state to adopt rules as necessary to implement the bill's provisions.

### **EFFECTIVE DATE**

September 1, 2013.

## COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 966 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. Chapter 1, Election Code, is amended by adding Section 1.016 to read as follows:

Sec. 1.016. RESIDENCE FOR CERTAIN REGISTERED VOTERS. (a) For purposes of registration under this code, a person's residence is established at the first residence address in the following list that is applicable to the person:

(1) the address the person claims as a homestead in this state;

(2) the address stated on a driver's license issued to the person by the Department of Public Safety that has not expired or, if the person has notified the department of a change of address under Section 521.054, Transportation Code, the new address contained in the notification;

(3) the address stated on a personal identification card issued to the person by the Department of Public Safety that has not expired or, if the person has notified the department of a change of address under Section 521.054, Transportation Code, the new address contained in the notification;

(4) the address stated on a license to carry a concealed handgun issued to the person by the Department of Public Safety that has not expired or, if the person has notified the department of a change of address under Section 411.181, Government Code, the new address contained in the notification; or

(5) an address corresponding to a residence at which the person receives mail.

(b) The address described by Subsection (a)(5) may not be a commercial post office box or similar location that does not correspond to a residence.

(c) This section does not apply to:

(1) a person who is a member of the armed forces of the United States or the spouse or a

### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Chapter 1, Election Code, is amended by adding Section 1.016 to read as follows:

Sec. 1.016. RESIDENCE FOR CERTAIN REGISTERED VOTERS. (a) For purposes of registration under this code, a person's residence is established at the first residence address in the following list that is applicable to the person:

(5) the address the person claims as a homestead in this state;

(1) the address stated on a driver's license issued to the person by the Department of Public Safety that has not expired or, if the person has notified the department of a change of address under Section 521.054, Transportation Code, the new address contained in the notification;

(2) the address stated on a personal identification card issued to the person by the Department of Public Safety that has not expired or, if the person has notified the department of a change of address under Section 521.054, Transportation Code, the new address contained in the notification;

(3) the address stated on a license to carry a concealed handgun issued to the person by the Department of Public Safety that has not expired or, if the person has notified the department of a change of address under Section 411.181, Government Code, the new address contained in the notification; or

(4) an address corresponding to a residence at which the person receives mail.

(b) A person whose residence in this state has no address may establish residence under this section by executing an affidavit stating that the person's residence in this state has no address and filing the affidavit with the secretary of state.

(c) The address described by Subsection (a)(4) may not be a commercial post office box or similar location that does not correspond to a residence.

(d) This section does not apply to:

(1) a person who is a member of the armed forces of the United States or the spouse or a

dependent of a member; or  
(2) a person enrolled as a full-time student  
at an institution of higher education.  
(d) The secretary of state shall adopt rules  
as necessary to implement this section.

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

dependent of a member; or  
(2) a person enrolled as a full-time student  
at an institution of higher education.  
(e) The secretary of state shall adopt rules  
as necessary to implement this section.

SECTION 2. Same as introduced version.