

By: Zedler

H.B. No. 1253

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 13.007(b), Election Code, is amended to read as follows:

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

SECTION 2. Subchapter A, Chapter 13, Election Code, is amended by adding Section 13.009 to read as follows:

Sec. 13.009. UNLAWFUL APPLICATION BY PERSON WHO IS NOT UNITED STATES CITIZEN. (a) A person commits an offense if the person is not a citizen of the United States and the person:

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

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

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

SECTION 3. Section 13.031(d), Election Code, as amended by Chapters 1002 (H.B. 2194) and 1164 (H.B. 2817), Acts of the 82nd Legislature, Regular Session, 2011, is reenacted and amended to read as follows:

(d) To be eligible for appointment as a volunteer deputy registrar, a person must:

(1) be 18 years of age or older;

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

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

6           (B) been pardoned or otherwise released from the  
7 resulting disability to vote; ~~and~~

8           ~~[(3) meet the requirements to be a qualified voter~~  
9 ~~under Section 11.002 except that the person is not required to be a~~  
10 ~~registered voter]~~

11           (3) not have been finally convicted of an offense  
12 under Section 32.51, Penal Code; and

13           (4) for the six months immediately preceding the date  
14 of appointment:

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

16                   (B) have been a registered voter.

17           SECTION 4. Section 13.036(a), Election Code, is amended to  
18 read as follows:

19           (a) An appointment as a volunteer deputy registrar is  
20 terminated on:

21           (1) the expiration of the volunteer deputy's term of  
22 appointment; ~~or~~

23           (2) the final conviction of the volunteer deputy for  
24 an offense prescribed by Section 13.008 or 13.043;

25           (3) the submission of an incomplete or late  
26 registration application; or

27           (4) apparent evidence of forgery by the volunteer

1 deputy in the completion of a registration application.

2 SECTION 5. Section 13.122(a), Election Code, is amended to  
3 read as follows:

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

7 (1) the statement: "I understand that giving false  
8 information to procure a voter registration is perjury and a crime  
9 under state and federal law and that submitting a voter  
10 registration or voting as a noncitizen is also a crime under state  
11 law.";

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

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

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

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

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

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

22 (8) a space or box for indicating whether the  
23 applicant or voter is submitting new registration information or a  
24 change in current registration information;

25 (9) a statement instructing a voter who is using the  
26 form to make a change in current registration information to enter  
27 the voter's name and the changed information in the appropriate

1 spaces on the form;

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

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

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

11 (13) a statement warning that a conviction of an  
12 offense under this code [~~for making a false statement~~] may result in  
13 imprisonment for up to the maximum amount of time provided by law, a  
14 fine of up to the maximum amount provided by law, or both the  
15 imprisonment and the fine; and

16 (14) any other voter registration information  
17 required by federal law or considered appropriate and required by  
18 the secretary of state.

19 SECTION 6. Section 16.092, Election Code, is amended to  
20 read as follows:

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

24 (1) identifies the voter whose registration is being  
25 challenged; and

26 (2) states a specific qualification for registration  
27 that the challenged voter has not met based on the personal

1 knowledge of the voter desiring to challenge the registration or as  
2 evidenced by documentation.

3         SECTION 7. The appointment of a person serving as a  
4 volunteer deputy registrar who does not meet the eligibility  
5 requirements of Section 13.031, Election Code, as amended by this  
6 Act, expires on the effective date of this Act. The secretary of  
7 state shall prescribe procedures necessary to implement this  
8 section.

9         SECTION 8. This Act takes effect September 1, 2013.