

By: Wu

H.B. No. 1839

A BILL TO BE ENTITLED

AN ACT

relating to the registration of certain voters at a polling place and related procedures.

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

SECTION 1. Subchapter A, Chapter 12, Election Code, is amended by adding Section 12.007 to read as follows:

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

SECTION 2. Chapter 62, Election Code, is amended by adding Section 62.0015 to read as follows:

Sec. 62.0015. CERTAIN ELECTION OFFICERS ARE VOTER REGISTRARS. An election officer serving a polling place on election day is a deputy voter registrar and has the same authority as a regular deputy registrar.

SECTION 3. Chapter 63, Election Code, is amended by adding Section 63.010 to read as follows:

Sec. 63.010. REGISTRATION AT POLLING PLACE OF DISABLED PERSONS AND SENIOR CITIZENS; VOTING PROCEDURES. (a) For purposes of this section:

(1) "Disability" has the meaning assigned by Section 681.001, Transportation Code.

(2) "Senior citizen" means a person 65 years of age or

1 older.

2 (b) Other applicable provisions of this code apply to the
3 conduct of voting and to the registration of voters under this
4 section to the extent those provisions do not conflict with this
5 section.

6 (c) A person who would be eligible to vote in an election
7 under Section 11.001, but for the requirement to be a registered
8 voter, shall be accepted for voting in the precinct of the person's
9 residence as shown by the identification presented if the person
10 has a disability or is a senior citizen and, on the day the person
11 offers to vote, the person:

12 (1) submits a voter registration application that
13 complies with Section 13.002 to an election officer at the polling
14 place; and

15 (2) presents as proof of residence:

16 (A) a Texas driver's license, including a
17 temporary license or instruction permit, or personal
18 identification card issued to the person by the Department of
19 Public Safety that states the person's current address on the day
20 the person seeks to vote; or

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

24 (i) a Texas driver's license, including a
25 temporary license or instruction permit, or personal
26 identification card issued to the person by the Department of
27 Public Safety, regardless of whether the address stated on the

1 license or card is current on the day the person seeks to vote; or
2 (ii) a United States passport issued to the
3 person.

4 (d) The election officer shall use a document submitted
5 under Subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii) to
6 confirm the date of birth of a senior citizen registering to vote
7 under this section.

8 (e) The election officer shall make a copy of the documents
9 submitted under Subsection (c)(2) and attach the copies to the
10 registration application. The election officer shall return the
11 original documents to the voter.

12 (f) A person voting under this section shall vote a
13 provisional ballot in the manner provided by Section 63.011, except
14 that the person is not required to submit the affidavit under
15 Section 63.011(a).

16 (g) For each registration corresponding to a ballot cast
17 under this section, the voter registrar shall review the
18 application and copies of the submitted documents and determine in
19 the manner provided by Subchapter C, Chapter 13, whether the
20 applicant complies with Subsection (c) and is eligible for
21 registration. The registrar shall inform the early voting ballot
22 board of a determination made under this subsection. A
23 registration approved under this subsection takes effect on the
24 date the vote was cast.

25 (h) The secretary of state may by rule:

26 (1) designate additional documents that a person may
27 offer to prove the person's residence or eligibility to register

1 and vote under this section; and

2 (2) prescribe procedures to implement this section.

3 SECTION 4. Section 65.054, Election Code, is amended by
4 adding Subsection (b-1) to read as follows:

5 (b-1) Notwithstanding Subsection (b), a provisional ballot
6 cast under Section 63.010 or 85.0312 shall be accepted if the voter
7 registrar determines the applicant is eligible for registration
8 under Section 63.010(g) or 85.0312(f), as applicable.

9 SECTION 5. Subchapter B, Chapter 85, Election Code, is
10 amended by adding Section 85.0312 to read as follows:

11 Sec. 85.0312. REGISTRATION AT POLLING PLACE DURING EARLY
12 VOTING OF DISABLED PERSONS AND SENIOR CITIZENS. (a) For purposes
13 of this section:

14 (1) "Disability" has the meaning assigned by Section
15 681.001, Transportation Code.

16 (2) "Senior citizen" means a person 65 years of age or
17 older.

18 (b) A person who would be eligible to vote in an election
19 under Section 11.001, but for the requirement to be a registered
20 voter, shall be accepted during early voting by personal appearance
21 for voting the ballot for the precinct of the person's residence as
22 shown by the identification presented if the person has a
23 disability or is a senior citizen and, on the day the person offers
24 to vote, the person:

25 (1) submits a voter registration application that
26 complies with Section 13.002 to an election officer at the polling
27 place; and

1 (2) presents as proof of residence:

2 (A) a Texas driver's license, including a
3 temporary license or instruction permit, or personal
4 identification card issued to the person by the Department of
5 Public Safety that states the person's current address on the day
6 the person seeks to vote; or

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

10 (i) a Texas driver's license, including a
11 temporary license or instruction permit, or personal
12 identification card issued to the person by the Department of
13 Public Safety, regardless of whether the address stated on the
14 license or card is current on the day the person seeks to vote; or

15 (ii) a United States passport issued to the
16 person.

17 (c) The election officer shall use a document submitted
18 under Subsection (b)(2)(A), (b)(2)(B)(i), or (b)(2)(B)(ii) to
19 confirm the date of birth of a senior citizen registering to vote
20 under this section.

21 (d) The election officer shall make a copy of the documents
22 submitted under Subsection (b)(2) and attach the copies to the
23 registration application. The election officer shall return the
24 original documents to the voter.

25 (e) A person voting under this section shall vote a
26 provisional ballot in the manner provided by Section 63.011, except
27 that the person is not required to submit the affidavit under

1 Section 63.011(a).

2 (f) For each registration corresponding to a ballot cast
3 under this section, the voter registrar shall review the
4 application and copies of the submitted documents and determine in
5 the manner provided by Subchapter C, Chapter 13, whether the
6 applicant complies with Subsection (b) and is eligible for
7 registration. The registrar shall inform the early voting ballot
8 board of a determination made under this subsection. A
9 registration approved under this subsection takes effect on the
10 date the vote was cast.

11 (g) The secretary of state may by rule:

12 (1) designate additional documents that a person may
13 offer to prove the person's residence or eligibility to register
14 and vote under this section; and

15 (2) prescribe procedures to implement this section.

16 SECTION 6. This Act takes effect September 1, 2013.