

By: Wu

H.B. No. 3081

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the requirements for a person who has recently moved to
3 vote in the precinct of the person's former or current residence.

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

5 SECTION 1. Section 63.0011, Election Code, is amended by
6 amending Subsection (a) and adding Subsections (b-1), (b-2), and
7 (b-3) to read as follows:

8 (a) Before a voter may be accepted for voting, an election
9 officer shall ask the voter if the voter's residence address on the
10 precinct list of registered voters is current and whether the voter
11 has changed residence [~~within the county~~]. If the voter's address
12 is omitted from the precinct list under Section 18.005(c), the
13 officer shall ask the voter if the voter's residence, if listed, on
14 identification presented by the voter under Section 63.001(b) is
15 current and whether the voter has changed residence [~~within the~~
16 ~~county~~].

17 (b-1) If the voter's address is not current because the
18 voter has changed residence to a different county within 30 days of
19 the date of the election, the voter may vote, if otherwise eligible,
20 in the election precinct in which the voter is registered.

21 (b-2) In a joint election held in accordance with Chapter
22 271, if the voter's address is not current because the voter has
23 changed residence within the county, the voter may vote, if
24 otherwise eligible, in the election precinct in which the voter is

1 registered. A voter eligible under this subsection shall receive a
2 joint election ballot according to the voter's registered residence
3 address, notwithstanding Section 11.001(a)(2) or any other
4 provision of this code.

5 (b-3) The secretary of state shall adopt rules to ensure
6 that a voter's pending registration is not canceled due to a vote
7 cast by the voter voting under Subsection (b-1) or (b-2) in the
8 precinct in which the voter is registered.

9 SECTION 2. Section 112.002, Election Code, is amended by
10 amending Subsections (a) and (d) and adding Subsection (d-1) to
11 read as follows:

12 (a) After changing residence to another county, a person is
13 eligible to vote a limited ballot by personal appearance during the
14 early voting period, on election day, or by mail if:

15 (1) the person would have been eligible to vote in the
16 county of former residence on election day if still residing in that
17 county;

18 (2) the person is registered to vote in the county of
19 former residence at the time the person:

20 (A) offers to vote in the county of new
21 residence; or

22 (B) submitted a voter registration application
23 in the county of new residence; ~~and~~

24 (3) a voter registration for the person in the county
25 of new residence is not effective on or before election day; and

26 (4) for a person voting on election day, the person
27 changed residence to the county not more than 30 days before

1 election day.

2 (d) A statement executed under Subsection (c) shall be
3 submitted:

4 (1) to an election officer at the main early voting
5 polling place, if the person is voting by personal appearance; [~~or~~]

6 (2) with the affidavit required under Subsection
7 (d-1), to a person designated by the early voting clerk at the
8 location used for the main early voting polling place, if the person
9 is voting on election day; or

10 (3) with the person's application for a ballot to be
11 voted by mail, if the person is voting by mail.

12 (d-1) A person voting on election day under this section
13 shall:

14 (1) execute an affidavit affirming that the person
15 changed residence to the county not more than 30 days before
16 election day; and

17 (2) submit the affidavit together with the statement
18 submitted by the person under Subsection (d).

19 SECTION 3. Section 112.004, Election Code, is amended to
20 read as follows:

21 Sec. 112.004. OFFICES AND MEASURES ON WHICH VOTER ENTITLED
22 TO VOTE. A person voting a limited ballot is entitled to vote only
23 on:

24 (1) each office and proposition stating a measure to
25 be voted on statewide; and

26 (2) if the person is not voting on election day, each
27 office and proposition stating a measure to be voted on in a

1 territorial unit of which the person was a resident both before
2 changing county of residence and after the change.

3 SECTION 4. Section 112.006, Election Code, is amended to
4 read as follows:

5 Sec. 112.006. PLACE FOR VOTING BY PERSONAL APPEARANCE OR ON
6 ELECTION DAY. A person may vote a limited ballot by personal
7 appearance only at the main early voting polling place. A person
8 may vote a limited ballot on election day only at the location of
9 the main early voting polling place.

10 SECTION 5. Section 112.010(a), Election Code, is amended to
11 read as follows:

12 (a) If early voting by personal appearance is conducted by
13 voting machine, the early voting clerk may conduct the personal
14 appearance voting of limited ballots by using official ballots for
15 early voting by mail. The early voting clerk may conduct voting of
16 limited ballots on election day at the location of the main early
17 voting polling place by using official ballots for early voting by
18 mail.

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