

By: Wu

H.B. No. 3081

Substitute the following for H.B. No. 3081:

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C.S.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.