

AN ACT

relating to the determination that a voter is deceased.

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

SECTION 1. Sections 16.033(b), (c), and (d), Election Code, are amended to read as follows:

(b) If the registrar has reason to believe that a voter is no longer eligible for registration, the registrar shall deliver written notice to the voter indicating that the voter's registration status is being investigated by the registrar. The notice shall be delivered by forwardable mail to the mailing address on the voter's registration application and to any new address of the voter known to the registrar. If the secretary of state has adopted or recommended a form for a written notice under this section, the registrar must use that form.

(c) The notice must include:

(1) a request for information relevant to determining the voter's eligibility for registration; and

(2) a warning that the voter's registration is subject to cancellation if the registrar does not receive an appropriate reply on or before the 30th day after the date the notice is mailed.

(d) Except as provided by Subsection (e), the registrar shall cancel a voter's registration if:

(1) after considering the voter's reply, the registrar determines that the voter is not eligible for registration;

1           (2) no reply is received from the voter on or before  
2 the 30th day after the date the notice is mailed to the voter under  
3 Subsection (b); or

4           (3) each notice mailed under Subsection (b) is  
5 returned undelivered to the registrar with no forwarding  
6 information available.

7           SECTION 2. Section 18.068, Election Code, as added by  
8 Chapter 683 (H.B. 174), Acts of the 82nd Legislature, Regular  
9 Session, 2011, is amended to read as follows:

10           Sec. 18.068. COMPARISON OF INFORMATION REGARDING  
11 INELIGIBILITY. (a) The secretary of state shall quarterly compare  
12 the information received under Section 16.001 of this code and  
13 Section 62.113, Government Code, to the statewide computerized  
14 voter registration list. If the secretary determines that a voter  
15 on the registration list is deceased or has been excused or  
16 disqualified from jury service because the voter is not a citizen,  
17 the secretary shall send notice of the determination to the voter  
18 registrar of the counties considered appropriate by the secretary.

19           (b) The secretary of state shall by rule determine what  
20 information combinations identified as common to a voter and to an  
21 individual who is deceased constitute a weak match or a strong match  
22 in order to:

23                   (1) produce the least possible impact on Texas voters;

24 and

25                   (2) fulfill its responsibility to manage the voter  
26 rolls.

27           (c) The secretary of state may not determine that a voter is

1 deceased based on a weak match. The secretary of state may inform  
2 the county of the voter's residence that a weak match exists.

3 (d) On receiving notification from the secretary of state  
4 under Subsection (c) that a weak match of identifying information  
5 exists for a county voter and an individual who is deceased, the  
6 county shall investigate whether the voter is the individual who is  
7 deceased.

8 (e) The secretary of state may determine that a voter is  
9 deceased based on a strong match.

10 (f) The secretary of state may obtain, for purposes of  
11 determining whether a voter is deceased, information from other  
12 state agency databases relating to a voter that is the same type of  
13 information that the secretary of state or a voter registrar  
14 collects or stores for voter registration purposes.

15 SECTION 3. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2013.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3593 was passed by the House on May 10, 2013, by the following vote: Yeas 88, Nays 50, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3593 on May 24, 2013, by the following vote: Yeas 90, Nays 53, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 3593 was passed by the Senate, with amendments, on May 22, 2013, by the following vote: Yeas 25, Nays 6.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor