

By: Burnam

H.B. No. 3593

A BILL TO BE ENTITLED

AN ACT

relating to the determination that a voter is ineligible to vote.

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

SECTION 1. Section 18.068, Election Code, as added by Chapter 683 (H.B. 174), Acts of the 82nd Legislature, Regular Session, 2011, is amended to read as follows:

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

(b) The following information combinations identified as common to a voter and an individual who is deceased or has been excused or disqualified from jury service because the individual is not a citizen are considered a weak match:

(1) an exact match of first name, last name, and date of birth;

(2) an exact match of first name, last name, and full social security number;

(3) an exact match of date of birth and full social

1 security number;

2 (4) an exact match of last name, date of birth, and
3 last four digits of social security number;

4 (5) an exact match of last name and full social
5 security number; or

6 (6) an exact match of information in the combination
7 described by Subdivision (1), (2), (3), (4), or (5) and additional
8 information determined by secretary of state rule, except as
9 provided by Subsection (e).

10 (c) The secretary of state may not determine that a voter is
11 deceased or is not a citizen based on a weak match. The secretary of
12 state may inform the county of the voter's residence that a weak
13 match exists.

14 (d) On receiving notification from the secretary of state
15 under Subsection (c) that a weak match of identifying information
16 exists for a county voter and an individual who is deceased or has
17 been excused or disqualified from jury service because the
18 individual is not a citizen, the county shall investigate whether
19 the voter is the individual who is deceased or has been excused or
20 disqualified from jury service because the individual is not a
21 citizen. If the county determines that the voter is alive or if the
22 voter appears to vote in person, the county shall request that the
23 voter provide any information required to be furnished on a voter
24 registration application that the county does not have recorded for
25 the voter, but the voter may not be required to furnish the
26 information. A weak match may not be the sole basis on which to
27 cancel a voter's voter registration or to require the voter to

1 furnish additional information to prevent cancellation of the
2 voter's voter registration.

3 (e) An exact match of the last name, full social security
4 number, and date of birth of a voter and an individual who is
5 deceased or has been excused or disqualified from jury service
6 because the individual is not a citizen is considered a strong
7 match, except that the secretary of state may by rule require more
8 information in common to determine that a strong match exists. The
9 secretary of state may determine that a voter is deceased or is not
10 a citizen based on a strong match.

11 (f) The secretary of state may obtain information from other
12 state agency databases when determining whether a voter is
13 deceased.

14 SECTION 2. Section 16.0332(a), Election Code, is amended to
15 read as follows:

16 (a) After the registrar receives notice from the secretary
17 of state under Section 18.068 of a determination that a person has
18 been excused or disqualified from jury service because of
19 citizenship status or a list under [~~Section 18.068 of this code or~~]
20 Section 62.113, Government Code, of persons excused or disqualified
21 from jury service because of citizenship status, the registrar
22 shall deliver to each registered voter whose name appears on the
23 notice or list a written notice requiring the voter to submit to the
24 registrar proof of United States citizenship in the form of a
25 certified copy of the voter's birth certificate, United States
26 passport, or certificate of naturalization or any other form
27 prescribed by the secretary of state. The written notice shall be

1 delivered by forwardable mail to the mailing address on the voter's
2 registration application and to any new address of the voter known
3 to the registrar.

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