

1-1 By: Burnam, et al. (Senate Sponsor - Ellis) H.B. No. 3593  
 1-2 (In the Senate - Received from the House May 10, 2013;  
 1-3 May 10, 2013, read first time and referred to Committee on State  
 1-4 Affairs; May 17, 2013, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
 1-6 May 17, 2013, sent to printer.)

1-7 COMMITTEE VOTE

|      | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8  |     |     |        |     |
| 1-9  | X   |     |        |     |
| 1-10 | X   |     |        |     |
| 1-11 | X   |     |        |     |
| 1-12 | X   |     |        |     |
| 1-13 | X   |     |        |     |
| 1-14 | X   |     |        |     |
| 1-15 | X   |     |        |     |
| 1-16 | X   |     |        |     |
| 1-17 | X   |     |        |     |

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3593 By: Ellis

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the determination that a voter is deceased.  
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-23 SECTION 1. Sections 16.033(b), (c), and (d), Election Code,  
 1-24 are amended to read as follows:  
 1-25 (b) If the registrar has reason to believe that a voter is no  
 1-26 longer eligible for registration, the registrar shall deliver  
 1-27 written notice to the voter indicating that the voter's  
 1-28 registration status is being investigated by the registrar. The  
 1-29 notice shall be delivered by forwardable mail to the mailing  
 1-30 address on the voter's registration application and to any new  
 1-31 address of the voter known to the registrar. If the secretary of  
 1-32 state has adopted or recommended a form for a written notice under  
 1-33 this section, the registrar must use that form.  
 1-34 (c) The notice must include:  
 1-35 (1) a request for information relevant to determining  
 1-36 the voter's eligibility for registration; and  
 1-37 (2) a warning that the voter's registration is subject  
 1-38 to cancellation if the registrar does not receive an appropriate  
 1-39 reply on or before the 30th day after the date the notice is mailed.  
 1-40 (d) Except as provided by Subsection (e), the registrar  
 1-41 shall cancel a voter's registration if:  
 1-42 (1) after considering the voter's reply, the registrar  
 1-43 determines that the voter is not eligible for registration;  
 1-44 (2) no reply is received from the voter on or before  
 1-45 the 30th day after the date the notice is mailed to the voter under  
 1-46 Subsection (b); or  
 1-47 (3) each notice mailed under Subsection (b) is  
 1-48 returned undelivered to the registrar with no forwarding  
 1-49 information available.  
 1-50 SECTION 2. Section 18.068, Election Code, as added by  
 1-51 Chapter 683 (H.B. 174), Acts of the 82nd Legislature, Regular  
 1-52 Session, 2011, is amended to read as follows:  
 1-53 Sec. 18.068. COMPARISON OF INFORMATION REGARDING  
 1-54 INELIGIBILITY. (a) The secretary of state shall quarterly compare  
 1-55 the information received under Section 16.001 of this code and  
 1-56 Section 62.113, Government Code, to the statewide computerized  
 1-57 voter registration list. If the secretary determines that a voter  
 1-58 on the registration list is deceased or has been excused or  
 1-59 disqualified from jury service because the voter is not a citizen,  
 1-60 the secretary shall send notice of the determination to the voter

2-1 registrar of the counties considered appropriate by the secretary.

2-2 (b) The secretary of state shall by rule determine what  
2-3 information combinations identified as common to a voter and to an  
2-4 individual who is deceased constitute a weak match or a strong match  
2-5 in order to:

2-6 (1) produce the least possible impact on Texas voters;

2-7 and

2-8 (2) fulfill its responsibility to manage the voter  
2-9 rolls.

2-10 (c) The secretary of state may not determine that a voter is  
2-11 deceased based on a weak match. The secretary of state may inform  
2-12 the county of the voter's residence that a weak match exists.

2-13 (d) On receiving notification from the secretary of state  
2-14 under Subsection (c) that a weak match of identifying information  
2-15 exists for a county voter and an individual who is deceased, the  
2-16 county shall investigate whether the voter is the individual who is  
2-17 deceased.

2-18 (e) The secretary of state may determine that a voter is  
2-19 deceased based on a strong match.

2-20 (f) The secretary of state may obtain, for purposes of  
2-21 determining whether a voter is deceased, information from other  
2-22 state agency databases relating to a voter that is the same type of  
2-23 information that the secretary of state or a voter registrar  
2-24 collects or stores for voter registration purposes.

2-25 SECTION 3. This Act takes effect immediately if it receives  
2-26 a vote of two-thirds of all the members elected to each house, as  
2-27 provided by Section 39, Article III, Texas Constitution. If this  
2-28 Act does not receive the vote necessary for immediate effect, this  
2-29 Act takes effect September 1, 2013.

2-30 \* \* \* \* \*