

By: Martinez Fischer

H.B. No. 3719

A BILL TO BE ENTITLED

AN ACT

relating to the registration of voters at a polling place during early voting by personal appearance and related procedures.

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

SECTION 1. Subchapter A, Chapter 12, Election Code, is amended by adding Section 12.007 to read as follows:

Sec. 12.007. CERTAIN ELECTION OFFICERS ARE VOTER REGISTRARS. An election officer serving a polling place for early voting by personal appearance is a deputy voter registrar and has the same authority as a regular deputy registrar.

SECTION 2. Section 65.054, Election Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Notwithstanding Subsection (b), a provisional ballot cast under Section 85.0312 shall be accepted if the voter registrar determines the applicant is eligible for registration under Section 85.0312(d).

SECTION 3. Subchapter B, Chapter 85, Election Code, is amended by adding Section 85.0312 to read as follows:

Sec. 85.0312. REGISTRATION AT POLLING PLACE DURING EARLY VOTING. (a) A person who would be eligible to vote in an election under Section 11.001, but for the requirement to be a registered voter, shall be accepted during early voting by personal appearance for voting the ballot for the precinct of the person's residence as shown by the identification presented if, on the day the person

1 offers to vote, the person:

2 (1) submits a voter registration application that
3 complies with Section 13.002 to an election officer at the polling
4 place; and

5 (2) presents as proof of residence:

6 (A) a Texas driver's license, including a
7 temporary license or instruction permit, or personal
8 identification card issued to the person by the Department of
9 Public Safety that states the person's current address on the day
10 the person seeks to vote; or

11 (B) a utility bill addressed to the person dated
12 not earlier than the 30th day before the date the person seeks to
13 vote, and:

14 (i) a Texas driver's license, including a
15 temporary license or instruction permit, or personal
16 identification card issued to the person by the Department of
17 Public Safety, regardless of whether the address stated on the
18 license or card is current on the day the person seeks to vote;

19 (ii) a United States passport issued to the
20 person; or

21 (iii) a United States military
22 identification card that contains the person's photograph.

23 (b) The election officer shall make a copy of the proof of
24 residence submitted under Subsection (a)(2) and attach it to the
25 registration application. The election officer shall return the
26 original proof of residence to the voter.

27 (c) A person voting under this section shall vote a

1 provisional ballot in the manner provided by Section 63.011 except
2 that the person is not required to submit the affidavit under
3 Section 63.011(a).

4 (d) For each registration corresponding to a ballot cast
5 under this section, the voter registrar shall review the
6 application and copy of the proof of residence and determine
7 whether the applicant is eligible for registration as provided by
8 Subchapter C, Chapter 13. The registrar shall inform the early
9 voting ballot board of a determination made under this subsection.
10 A registration approved under this subsection takes effect on the
11 date the vote was cast.

12 (e) The secretary of state may by rule:

13 (1) designate additional documents that a person may
14 offer to prove the person's residence to register and vote under
15 this section; and

16 (2) prescribe procedures to implement this section.

17 SECTION 4. This Act takes effect September 1, 2013.