

House Bill 3593
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 ~~60th~~ ~~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;

(2) no reply is received from the voter on or before the ~~60th~~ ~~30th~~ day after the date the notice is mailed to the voter under Subsection (b); or

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

SECTION 2. 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:

SENATE VERSION (CS)

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CONFERENCE

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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 secretary of state shall by rule determine what information combinations identified as common to a voter and to an individual who is deceased constitute a weak match or a strong match in order to:

- (1) produce the least possible impact on Texas voters; and
- (2) fulfill its responsibility to manage the voter rolls.

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

(d) On receiving notification from the secretary of state under Subsection (c) that a weak match of identifying information exists for a county voter and an individual who is deceased, the county shall investigate whether the voter is the individual who is deceased. If the county determines that the voter is alive or if the voter appears to vote in person, the county shall request that the voter provide any information required to be furnished on a voter registration application that the county does not have recorded for the voter, but the voter may not be required to furnish the information. A weak match may not be the sole basis on which to cancel a voter's voter registration or to require the voter to furnish additional information to

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prevent cancellation of the voter's voter registration.

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

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

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

SENATE VERSION (CS)

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SECTION 3. Same as House version.

CONFERENCE