

BILL ANALYSIS

C.S.H.B. 2956
By: Klick
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties explain that there needs to be an optional procedure by which a county may adopt a method of appointment for volunteer deputy registrars that provides for the training and examination of potential volunteer deputy registrars. The parties further explain that certain training material for volunteer deputy registrars is prescribed by the secretary of state's office, and they suggest that making those same materials available on the secretary of state's website would complement a county's efforts to adopt such an optional procedure by giving the volunteers greater opportunity to learn the material and rules, test that knowledge, and improve the overall efficiency of the process. C.S.H.B. 2956 seeks to provide for this optional procedure of training and appointing volunteer deputy registrars.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2956 amends the Election Code to authorize a county to adopt a method of appointment for volunteer deputy registrars that provides for the training and examination of potential volunteer deputy registrars. The bill requires the secretary of state to provide on the secretary of state's website the training materials statutorily prescribed by the secretary of state for volunteer deputy registrars and to prescribe and make available on that website an examination based on those materials. The bill requires a county that has adopted this method to administer the required examination to a potential volunteer deputy registrar at any time during the county voter registrar's regular business hours and establishes that such a county is not required to hold in-person training sessions for potential volunteer deputy registrars. The bill requires the county voter registrar, at the time a person satisfactorily completes the examination in compliance with standards adopted by the secretary of state, to appoint the person as a volunteer deputy registrar and advise the person of county-specific procedures for processing voter registration applications, if applicable, and that the only requirements for voter registration are those prescribed by state law or by the secretary of state.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2956 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. The heading to Section 13.047, Election Code, is amended to read as follows:

Sec. 13.047. TRAINING STANDARDS FOR DEPUTY REGISTRARS; TRAINING USING MATERIALS POSTED ON SECRETARY OF STATE WEBSITE.

SECTION 2. Section 13.047, Election Code, is amended by adding Subsections (c), (d), (e), (f), (g), (h), and (i) to read as follows:

(c) The secretary of state shall provide on the agency's website the training materials and, if applicable, the examination that a potential volunteer deputy registrar may access at any time.

(d) The materials posted online and described by Subsection (c) must allow an applicant to download and print a document to be used as a certificate of completion of training. The document must:

(1) provide for the applicant to include the applicant's name, county, and residence address and any other information the secretary of state considers necessary;

(2) include the examination questions, if required by the secretary of state; and

(3) contain a form on which the applicant may execute an affidavit affirming that the applicant has read the training materials in their entirety.

(e) A person commits an offense if the person knowingly makes a false statement or requests, commands, or attempts to induce another person to make a false statement on an affidavit completed as part of a certificate of completion. An offense under this subsection is a Class B misdemeanor.

(f) An applicant who completes the training materials and a certificate of completion shall present the certificate to the registrar at the time the applicant requests appointment as a volunteer deputy registrar. Upon appointment, the applicant

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

No equivalent provision. (*But see SECTION 1 below.*)

See Sec. 13.048(b) below.

is not required to take further training and may immediately receive another person's voter registration application.

(g) The registrar must accept a certificate of completion presented by an applicant and appoint the person as a volunteer deputy registrar if the applicant:

(1) is eligible to be appointed as a volunteer deputy registrar under this subchapter;

(2) has executed the affidavit with an original signature; and

(3) has passed the examination, if applicable.

(h) At the time a volunteer deputy registrar who received training is appointed, the registrar shall advise the volunteer:

(1) of county-specific procedures for processing voter registration applications, if applicable; and

(2) that the only requirements for voter registration are those prescribed by state law or by the secretary of state.

(i) A volunteer deputy registrar requesting appointment in an additional county may present the person's valid certificate of appointment as proof of training. The volunteer is eligible to receive another person's voter registration application immediately on receiving a certificate of appointment from the registrar of the additional county.

See Sec. 13.048(d) below.

No equivalent provision. (*But see SECTION 2 above.*)

See Sec. 13.047(c) above.

SECTION 1. Subchapter B, Chapter 13, Election Code, is amended by adding Section 13.048 to read as follows:

Sec. 13.048. OPTIONAL PROCEDURE FOR APPOINTMENT OF VOLUNTEER DEPUTY REGISTRAR; PROVISION OF TRAINING MATERIALS ON SECRETARY OF STATE WEBSITE.

(a) A county may adopt a method of appointment for volunteer deputy registrars under this section that provides for the training and examination of potential volunteer deputy registrars.

(b) For the purposes of this section, the secretary of state shall:

(1) provide on the secretary of state's website the training materials prescribed by the secretary of state under Section 13.047 for volunteer deputy registrars; and

(2) prescribe and make available on the secretary of state's website an examination

based on those materials.

(c) A county that has adopted the method under this section:

(1) shall administer the required examination to a potential volunteer deputy registrar at any time during the county voter registrar's regular business hours; and

(2) is not required to hold in-person training sessions for potential volunteer deputy registrars.

(d) At the time a person satisfactorily completes the examination in compliance with standards adopted by the secretary of state, the registrar shall appoint the person as a volunteer deputy registrar and advise the person:

(1) of county-specific procedures for processing voter registration applications, if applicable; and

(2) that the only requirements for voter registration are those prescribed by state law or by the secretary of state.

See Sec. 13.047(h) above.

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, 2015.

SECTION 2. Same as introduced version.