

By: Murphy

H.B. No. 389

A BILL TO BE ENTITLED

AN ACT

relating to the residence address of a person for purposes of a response to a confirmation notice sent by the voter registrar.

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

SECTION 1. Section 15.052(b), Election Code, is amended to read as follows:

(b) The official confirmation notice response form must:

(1) provide spaces for the voter to include all of the information that a person must include in an application to register to vote under Section 13.002; ~~and~~

(2) describe the requirements of Section 15.054, provide a space for the voter to indicate if the voter is exempt from those requirements, and provide a space to indicate the reason for an exemption, if any; and

(3) be postage prepaid and preaddressed for delivery to the registrar.

SECTION 2. Section 15.053(a), Election Code, is amended to read as follows:

(a) Not later than the 30th day after the date a confirmation notice is mailed, the voter shall submit to the registrar a written, signed response to the notice that confirms the voter's current residence. The response must contain:

(1) all of the information that a person must include in an application to register to vote under Section 13.002; and

1 (2) evidence that the voter's residence address is
2 established in compliance with Section 15.054 or an indication that
3 the voter is exempt from those requirements.

4 SECTION 3. Subchapter C, Chapter 15, Election Code, is
5 amended by adding Section 15.054 to read as follows:

6 Sec. 15.054. RESIDENCE FOR PURPOSES OF CONFIRMATION NOTICE
7 RESPONSE. (a) For purposes of Section 15.053, a person's residence
8 is established at the first residence address, beginning with
9 Subdivision (1) and continuing through Subdivision (6), in the
10 following list that is applicable to the person:

11 (1) the address stated on a driver's license issued to
12 the person by the Department of Public Safety that has not expired
13 or, if the person has notified the department of a change of address
14 under Section 521.054, Transportation Code, the new address
15 contained in the notification;

16 (2) the address stated on a personal identification
17 card issued to the person by the Department of Public Safety that
18 has not expired or, if the person has notified the department of a
19 change of address under Section 521.054, Transportation Code, the
20 new address contained in the notification;

21 (3) the address stated on a license to carry a
22 concealed handgun issued to the person by the Department of Public
23 Safety that has not expired or, if the person has notified the
24 department of a change of address under Section 411.181, Government
25 Code, the new address contained in the notification;

26 (4) an address corresponding to a residence at which
27 the person receives mail;

1 (5) the address the person claims as a homestead in
2 this state; or

3 (6) the registration address of a vehicle the person
4 owns.

5 (b) A person whose residence in this state has no address
6 may establish residence under this section by executing an
7 affidavit stating that the person's residence in this state has no
8 address, providing a concise description of the location of the
9 person's residence, and delivering the affidavit to the registrar
10 with the person's response to the confirmation notice.

11 (c) The address described by Subsection (a)(4) may not be a
12 commercial post office box or similar location that does not
13 correspond to a residence.

14 (d) This section does not apply to:

15 (1) a person who is a member of the armed forces of the
16 United States or the spouse or a dependent of a member;

17 (2) a person enrolled as a full-time student at an
18 institution of higher education;

19 (3) a person whose address is confidential under
20 Subchapter C, Chapter 56, Code of Criminal Procedure;

21 (4) a federal judge, state judge, or spouse of a
22 federal or state judge whose driver's license includes the street
23 address of a courthouse under Section 521.121, Transportation Code;
24 or

25 (5) a peace officer whose driver's license omits the
26 officer's actual residence address under Section 521.1211,
27 Transportation Code.

1 (e) Subsection (a)(1) does not apply to a person who holds a
2 commercial driver's license under Subchapter C, Chapter 522,
3 Transportation Code.

4 (f) The secretary of state shall adopt rules as necessary to
5 implement this section.

6 SECTION 4. This Act takes effect September 1, 2017.