

BILL ANALYSIS

C.S.H.B. 3578
By: Klick
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There are concerns raised by recent reports indicating that some felony offenders who have lost their voting rights may still be registered to vote in many counties across Texas. It has been suggested that the current process for removing these ineligible voters from the voter rolls is inefficient due to the lack of reliable information. C.S.H.B. 3578 seeks to address this issue by providing for the cancellation of the voter registration of these individuals through communication between convicting courts, the secretary of state, and voter 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. 3578 amends the Code of Criminal Procedure to require a court, in the trial of a felony offense in which the defendant is 18 years of age or older and is adjudged guilty of the offense, to make an affirmative finding that the defendant has been found guilty of a felony, to enter the finding in the judgment of the case, and, at the time the conviction becomes final, to issue an order that the defendant's voter registration be canceled and to send the order to the secretary of state.

C.S.H.B. 3578 amends the Election Code to require the secretary of state, at the time the secretary of state receives such a cancellation order, to determine if the person named in the order is a registered voter in Texas and, if so, to forward the order to the appropriate registrar. The bill requires the registrar to cancel a voter's registration immediately on receipt of such an order. The bill requires the secretary of state to prescribe procedures to ensure that when a voter registers in another county, as determined by the voter's driver's license number or personal identification card number issued by the Department of Public Safety (DPS) or social security number, the statewide computerized voter registration list is updated to reflect the voter's registration in the new county.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3578 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include a prohibition against a registrar canceling a voter's registration on the grounds that the voter has been convicted of a felony unless the registrar has received a cancellation order. The substitute does not remove a provision removing the requirement for DPS to prepare and file with the secretary of state certain abstracts.