By:  Bettencourt S.B. No. 1190

(In the Senate - Filed February 27, 2019; March 7, 2019, read first time and referred to Committee on State Affairs; April 8, 2019, reported adversely, with favorable Committee Substitute by the following vote: Yeas 9, Nays 0; April 8, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Huffman         X

Hughes          X

Birdwell        X

Creighton       X

Fallon          X

Hall            X

Lucio           X

Nelson          X

Zaffirini       X

COMMITTEE SUBSTITUTE FOR S.B. No. 1190 By:  Nelson

A BILL TO BE ENTITLED

AN ACT

relating to the residence address of a voter 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

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

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

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

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

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

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

(4)  an address corresponding to a residence at which the voter receives mail;

(5)  the address the voter claims as a homestead in this state; or

(6)  the registration address of a vehicle the voter owns.

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

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

(d)  This section does not apply to:

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

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

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

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

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

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

(f)  Notwithstanding the other provisions of this section, a voter enrolled as a full-time student at an institution of higher education may use the address of a post office box located on the campus of the institution or in a dormitory owned or operated by the institution to confirm the voter's residence.

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

SECTION 4.  This Act takes effect September 1, 2019.

\* \* \* \* \*