

By: E. Johnson of Dallas

H.B. No. 79

A BILL TO BE ENTITLED

AN ACT

relating to voter registration procedures.

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

SECTION 1. Sections 13.002(a) and (b), Election Code, are amended to read as follows:

(a) A person desiring to register to vote must submit an application to the registrar of the county in which the person resides. Except as provided by Subsection (e), an application must be submitted by personal delivery, by mail, electronically through the official Internet website of this state in accordance with Section 13.009, or by telephonic facsimile machine in accordance with Sections 13.143(d) and (d-2).

(b) Except as provided by Section 13.009, a [A] registration application must be in writing and signed by the applicant.

SECTION 2. Subchapter A, Chapter 13, Election Code, is amended by adding Sections 13.009 and 13.010 to read as follows:

Sec. 13.009. ELECTRONIC VOTER REGISTRATION. (a) In this section, "digital signature" means an electronic identifier intended by the person using it to have the same force and effect as the use of a manual signature.

(b) An electronically transmitted application for voter registration issued or received by a registrar is considered signed if a digital signature is transmitted with the document.

(c) The secretary of state shall implement a program to

1 allow a person to complete and submit a voter registration
2 application electronically through the official Internet website
3 of this state. The Internet websites of the secretary of state and
4 the Department of Public Safety must also provide a link to the
5 location of the application on the official Internet website of
6 this state.

7 (d) An applicant for electronic voter registration must:

8 (1) attest to the truth of the information provided on
9 the application by affirmatively accepting the information as true;
10 and

11 (2) submit a digital signature.

12 (e) An electronically transmitted application for voter
13 registration submitted under this section is considered for all
14 purposes an application submitted by mail under this title.

15 (f) An electronically transmitted application for voter
16 registration is a written document for all purposes and exempt from
17 any additional writing requirement under this code.

18 (g) The use of a digital signature under this section is
19 subject to criminal laws pertaining to fraud and computer crimes,
20 including Chapters 32 and 33, Penal Code.

21 (h) The secretary of state shall adopt rules as necessary to
22 implement this section, including rules to provide for additional
23 security measures necessary to ensure the accuracy and integrity of
24 applications for voter registration submitted electronically.

25 Sec. 13.010. VOTER REGISTRATION THROUGH DEPARTMENT OF
26 PUBLIC SAFETY. (a) The voter registrar of each county shall
27 automatically register any county resident who is eligible to vote

1 as provided by Section 13.001 and:

2 (1) is issued a Texas driver's license or a personal
3 identification card by the Department of Public Safety; or

4 (2) makes a change to a Texas driver's license or
5 personal identification card issued by the Department of Public
6 Safety.

7 (b) A driver's license or personal identification card
8 transaction with an indication provided by Section 20.062(b) or
9 20.063(c) that the transaction is not for voter registration
10 purposes is not subject to this section.

11 SECTION 3. Section 20.061, Election Code, is amended to
12 read as follows:

13 Sec. 20.061. APPLICABILITY OF OTHER PROVISIONS. The other
14 provisions of this chapter apply to the Department of Public Safety
15 except provisions that conflict with this subchapter or Section
16 13.010.

17 SECTION 4. Section 20.062(b), Election Code, is amended to
18 read as follows:

19 (b) The department shall prescribe and use a change of
20 address form and procedure that combines department and voter
21 registration functions. The form must allow a licensee or
22 cardholder to indicate that ~~[whether]~~ the change of address is not
23 ~~[also to be used]~~ for voter registration purposes.

24 SECTION 5. Section 20.063, Election Code, is amended to
25 read as follows:

26 Sec. 20.063. REGISTRATION PROCEDURES. (a) The Department
27 of Public Safety shall consider an application made in person, by

1 mail, or online at the department's Internet website ~~[provide to~~
 2 ~~each person who applies in person at the department's offices]~~ for
 3 an original or renewal of a driver's license, a personal
 4 identification card, or a duplicate or corrected license or card by
 5 a person who is eligible to vote as provided by Section 13.001 an
 6 application for ~~[opportunity to complete a]~~ voter registration.
 7 The date of application is considered to be the date of submission
 8 to the voter registrar for the purpose of determining the effective
 9 date of registration ~~[application form]~~.

10 (b) The Department of Public Safety shall consider a change
 11 of address that relates to ~~[When the department processes]~~ a
 12 license or card and that is submitted to ~~[for renewal by mail,]~~ the
 13 department ~~[shall deliver to the applicant by mail a voter~~
 14 ~~registration application form.~~

15 ~~[(c) A change of address that relates to a license or card~~
 16 ~~and that is submitted to the department]~~ in person, ~~[or]~~ by mail, or
 17 online at the department's Internet website ~~[serves]~~ as a change in
 18 ~~[of address for]~~ voter registration ~~[unless the licensee or~~
 19 ~~cardholder indicates that the change is not for voter registration~~
 20 ~~purposes]~~. The date of submission of a change of address to a
 21 department employee is considered to be the date of submission to
 22 the voter registrar for the purpose of determining the effective
 23 date of registration ~~[only]~~.

24 (c) The registration of an eligible ~~[(d) If a completed]~~
 25 voter as required by Subsections (a) and (b) is automatic unless the
 26 person indicates that the transaction is not for voter
 27 registration purposes ~~[application submitted to a department~~

1 ~~employee does not include the applicant's correct driver's license~~
2 ~~number or personal identification card number, a department~~
3 ~~employee shall enter the appropriate information on the~~
4 ~~application. If a completed application does not include the~~
5 ~~applicant's correct residence address or mailing address, a~~
6 ~~department employee shall obtain the appropriate information from~~
7 ~~the applicant and enter the information on the application].~~

8 SECTION 6. Section 20.065(b), Election Code, is amended to
9 read as follows:

10 (b) Each weekday the department is regularly open for
11 business, the department shall electronically transfer to the
12 secretary of state the name and information designated by the
13 secretary of state for [of each person who completes a] voter
14 registration for each individual who is eligible to vote as
15 provided by Section 13.001 and applies in person, by mail, or online
16 at the department's Internet website for an original or renewal of a
17 driver's license, a personal identification card, or a duplicate or
18 corrected license or card [application submitted to the
19 department]. The secretary shall prescribe procedures necessary to
20 implement this subsection.

21 SECTION 7. This Act takes effect September 1, 2019.