

By: González of Dallas

H.B. No. 1464

A BILL TO BE ENTITLED

AN ACT

relating to voter registration.

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

SECTION 1. Sections 13.004(a), (c), and (d), Election Code, are amended to read as follows:

(a) The registrar may not transcribe, copy, or otherwise record a telephone number or e-mail address furnished on a registration application.

(c) The following information furnished on a registration application is confidential and does not constitute public information for purposes of Chapter 552, Government Code:

(1) a social security number;

(2) a Texas driver's license number;

(3) a number of a personal identification card issued by the Department of Public Safety;

(4) an indication that an applicant is interested in working as an election judge;

(5) a telephone number or e-mail address;

(6) the residence address of the applicant, if the applicant is a federal judge or state judge, as defined by Section 13.0021, the spouse of a federal judge or state judge, or an individual to whom Section 552.1175, Government Code, applies and the applicant:

(A) included an affidavit with the registration

1 application describing the applicant's status under this
2 subdivision, including an affidavit under Section 13.0021 if the
3 applicant is a federal judge or state judge or the spouse of a
4 federal judge or state judge;

5 (B) provided the registrar with an affidavit
6 describing the applicant's status under this subdivision,
7 including an affidavit under Section 15.0215 if the applicant is a
8 federal judge or state judge or the spouse of a federal judge or
9 state judge; or

10 (C) provided the registrar with a completed form
11 approved by the secretary of state for the purpose of notifying the
12 registrar of the applicant's status under this subdivision;

13 (7) [~~(6)~~] the residence address of the applicant, if
14 the applicant, the applicant's child, or another person in the
15 applicant's household is a victim of family violence as defined by
16 Section 71.004, Family Code, who provided the registrar with:

17 (A) a copy of a protective order issued under
18 Chapter 85, Family Code, or a magistrate's order for emergency
19 protection issued under Article 17.292, Code of Criminal Procedure;
20 or

21 (B) other independent documentary evidence
22 necessary to show that the applicant, the applicant's child, or
23 another person in the applicant's household is a victim of family
24 violence;

25 (8) [~~(7)~~] the residence address of the applicant, if
26 the applicant, the applicant's child, or another person in the
27 applicant's household is a victim of sexual assault or abuse,

1 stalking, or trafficking of persons who provided the registrar
2 with:

3 (A) a copy of a protective order issued under
4 Chapter 7A or Article 6.09, Code of Criminal Procedure, or a
5 magistrate's order for emergency protection issued under Article
6 17.292, Code of Criminal Procedure; or

7 (B) other independent documentary evidence
8 necessary to show that the applicant, the applicant's child, or
9 another person in the applicant's household is a victim of sexual
10 assault or abuse, stalking, or trafficking of persons; or

11 (9) [~~(8)~~] the residence address of the applicant, if
12 the applicant:

13 (A) is a participant in the address
14 confidentiality program administered by the attorney general under
15 Subchapter C, Chapter 56, Code of Criminal Procedure; and

16 (B) provided the registrar with proof of
17 certification under Article 56.84, Code of Criminal Procedure.

18 (d) The voter registrar or other county official who has
19 access to the information furnished on a registration application
20 may not post the following information on a website:

21 (1) a telephone number or e-mail address;

22 (2) a social security number;

23 (3) a driver's license number or a number of a personal
24 identification card;

25 (4) a date of birth; or

26 (5) the residence address of a voter who is a federal
27 judge or state judge, as defined by Section 13.0021, or the spouse

1 of a federal judge or state judge, if the voter included an
2 affidavit with the application under Section 13.0021 or the
3 registrar has received an affidavit submitted under Section
4 15.0215.

5 SECTION 2. Subchapter A, Chapter 84, Election Code, is
6 amended by adding Section 84.0022 to read as follows:

7 Sec. 84.0022. CONFIDENTIALITY AND USE OF CERTAIN
8 INFORMATION. Information included on an application for a ballot
9 to be voted by mail is subject to Section 13.004 in the same manner
10 as that section applies to an application to register to vote.

11 SECTION 3. Section 84.011(a), Election Code, is amended to
12 read as follows:

13 (a) The officially prescribed application form for an early
14 voting ballot must combine the contents required under Section
15 84.002 for an early voting ballot application with an officially
16 prescribed voter registration application form and include:

17 (1) immediately preceding the signature space the
18 statement: "I certify that the information given in this
19 application is true, and I understand that giving false information
20 in this application is a crime.";

21 (2) a statement informing the applicant of the
22 offenses prescribed by Sections 84.003 and 84.004;

23 (3) spaces for entering an applicant's information to
24 register to vote or voter registration number and county election
25 precinct of registration, as applicable, with a statement informing
26 the applicant that failure to furnish that information does not
27 invalidate the application; and

(4) on an application for a ballot to be voted by mail:

(A) a space for an applicant applying on the ground of absence from the county of residence to indicate the date on or after which the applicant can receive mail at the address outside the county;

(B) a space for indicating the fact that an applicant whose application is signed by a witness cannot make the applicant's mark and a space for indicating the relationship or lack of relationship of the witness to the applicant;

(C) a space for entering an applicant's telephone number and e-mail address, with a statement informing the applicant that failure to furnish that information does not invalidate the application;

(D) a space or box for an applicant applying on the ground of age or disability to indicate that the address to which the ballot is to be mailed is the address of a facility or relative described by Section 84.002(a)(3), if applicable;

(E) a space or box for an applicant applying on the ground of confinement in jail to indicate that the address to which the ballot is to be mailed is the address of a relative described by Section 84.002(a)(4), if applicable;

(F) a space for an applicant applying on the ground of age or disability to indicate if the application is an application under Section 86.0015;

(G) spaces for entering the signature, printed name, and residence address of any person assisting the applicant;

(H) a statement informing the applicant of the

1 condition prescribed by Section 81.005; and

2 (I) a statement informing the applicant of the
3 requirement prescribed by Section 86.003(c).

4 SECTION 4. Section 84.014, Election Code, is amended to
5 read as follows:

6 Sec. 84.014. ACTION BY EARLY VOTING CLERK ON CERTAIN
7 APPLICATIONS. (a) If an applicant provides a date of birth,
8 driver's license number, ~~[or]~~ social security number, or other
9 information required for registration under Title 2 on the
10 applicant's application for an early voting ballot to be voted by
11 mail that is different from or in addition to the information
12 maintained by the voter registrar in accordance with that title
13 [Title 2], the early voting clerk shall notify the voter
14 registrar. The voter registrar shall update the voter's record
15 with the information provided by the applicant.

16 (b) The submission of an application for an early voting
17 ballot to be voted by mail by an unregistered applicant that
18 complies with the applicable requirements and contains the
19 information required for registration under Title 2 constitutes
20 registration by the applicant.

21 SECTION 5. Section 86.001(e), Election Code, is amended to
22 read as follows:

23 (e) If the applicant does not have an effective voter
24 registration for the election, the clerk shall reject the
25 application unless:

26 (1) the clerk can determine from the voter registrar
27 that the applicant has submitted a voter registration application

1 and the registration will be effective on election day; or

2 (2) the application contains the information that is
3 required for registration under Title 2 and the registration will
4 be effective on election day.

5 SECTION 6. The changes in law made by this Act apply to an
6 application for a ballot to be voted by mail submitted for an
7 election ordered on or after the effective date of this Act. An
8 application for a ballot to be voted by mail submitted for an
9 election ordered before the effective date of this Act is governed
10 by the law in effect when the election was ordered, and the former
11 law is continued in effect for that purpose.

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