

By: Schaefer

H.B. No. 4331

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the verification of citizenship of an applicant for
3 voter registration.

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

5 SECTION 1. Section 13.002(a), Election Code, is amended to
6 read as follows:

7 (a) A person desiring to register to vote must submit an
8 application to the registrar of the county in which the person
9 resides. Except as provided by Subsection (e), an application must
10 be submitted by personal delivery, by mail, or by telephonic
11 facsimile machine in accordance with Section 13.143(d-2) [~~Sections~~
12 ~~13.143(d) and (d-2)~~].

13 SECTION 2. Section 13.046(f), Election Code, is amended to
14 read as follows:

15 (f) Except as provided by this subsection, Sections
16 13.039[~~13.041~~] and 13.042 apply to the submission and delivery
17 of registration applications under this section, and for that
18 purpose, "volunteer deputy registrar" in those sections includes a
19 high school deputy registrar. A high school deputy registrar may
20 review an application for completeness out of the applicant's
21 presence. A deputy may deliver a group of applications to the
22 registrar by mail in an envelope or package, and, for the purpose of
23 determining compliance with the delivery deadline, an application
24 delivered by mail is considered to be delivered at the time of its

1 receipt by the registrar.

2 SECTION 3. Section 13.071, Election Code, is amended by
3 amending Subsection (a) and adding Subsection (c) to read as
4 follows:

5 (a) The registrar shall review each submitted application
6 for registration to determine whether it complies with Section
7 13.002 and indicates that the applicant is a United States citizen
8 eligible for registration.

9 (c) In making a determination under this section, the
10 registrar must compare the information on the application for
11 registration with information submitted to the secretary of state
12 by the Department of Public Safety under Section 18.068(a-1). If
13 information combinations identified as common to an applicant and
14 to an individual who may not be a citizen constitute a match, the
15 registrar shall verify the applicant's citizenship in the same
16 manner the registrar verifies a registered voter's citizenship
17 under Section 16.0332. The secretary of state shall adopt rules and
18 prescribe procedures to implement this subsection.

19 SECTION 4. Section 13.143(a), Election Code, is amended to
20 read as follows:

21 (a) Except as provided by Subsection [~~Subsections~~] (b) [~~and~~
22 ~~(e)~~], if an applicant's registration application is approved, the
23 registration becomes effective on the 30th day after the date the
24 application is approved [~~submitted to the registrar~~] or on the date
25 the applicant becomes 18 years of age, whichever is later.

26 SECTION 5. Section 16.0332, Election Code, is amended to
27 read as follows:

1 Sec. 16.0332. CANCELLATION BECAUSE OF CITIZENSHIP STATUS.

2 (a) After the registrar receives notification [~~a list~~] under
3 Section 18.068 of this code or Section 62.113, Government Code, of
4 persons excused or disqualified from jury service because of
5 citizenship status or notification under Section 18.068 that a
6 person registered to vote in the county may not be a citizen, the
7 registrar shall deliver to each registered voter whose name appears
8 in the notification [~~on the list~~] a written notice requiring the
9 voter to submit to the registrar proof of United States citizenship
10 in the form of a certified copy of the voter's birth certificate,
11 United States passport, or certificate of naturalization or any
12 other form prescribed by the secretary of state.

13 (a-1) The notice shall be delivered by forwardable mail to
14 the mailing address on the voter's registration application and to
15 any new address of the voter known to the registrar.

16 (b) If a voter fails to submit to the registrar proof of
17 citizenship on or before the 30th day after the date the notice is
18 mailed, the registrar shall cancel the voter's registration.

19 (c) The registrar shall retain a copy of the notice mailed
20 to a voter under this section on file with the voter's registration
21 application. The registrar shall also retain any proof of
22 citizenship received under this section on file with the
23 application and send an electronic copy of the proof to the
24 secretary of state.

25 (d) The secretary of state shall adopt rules and prescribe
26 procedures to implement this section.

27 SECTION 6. Section 18.068, Election Code, is amended by

1 amending Subsections (b) and (d) and adding Subsection (a-1) to
2 read as follows:

3 (a-1) Once a month on a date specified by the secretary of
4 state, the Department of Public Safety shall in accordance with
5 Section 730.005(9), Transportation Code, provide to the secretary
6 of state available information as determined by the secretary of
7 state related to the citizenship of the applicant submitted on an
8 application for a driver's license or personal identification card
9 issued by the department. Periodically, the secretary of state
10 shall compare the information received to the statewide
11 computerized voter registration list. If the secretary determines
12 that a voter on the registration list may not be a citizen, the
13 secretary shall send notice of the determination to the voter
14 registrar of the counties considered appropriate by the secretary.

15 (b) The secretary of state shall by rule determine what
16 information combinations identified as common to a voter and to an
17 individual for whom the secretary of state has received information
18 under this section [~~who is deceased~~] constitute a weak match or a
19 strong match in order to:

20 (1) produce the least possible impact on Texas voters;

21 and

22 (2) fulfill its responsibility to manage the voter
23 rolls.

24 (d) On receiving notification from the secretary of state
25 under Subsection (c) that a weak match of identifying information
26 exists for a county voter and an individual who is deceased, or
27 notification under Subsection (a-1) that a match exists for a

1 county voter and an individual who may not be a citizen, the county
2 shall investigate whether the voter is the individual who is
3 deceased or whether the voter is a citizen, as applicable.

4 SECTION 7. Sections 13.041 and 13.143(d) and (e), Election
5 Code, are repealed.

6 SECTION 8. The changes in law made by this Act apply only to
7 an application to register to vote submitted on or after the
8 effective date of this Act.

9 SECTION 9. This Act takes effect September 1, 2019.