

By: Swanson

H.B. No. 4538

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Section 13.071, Election Code, is amended to read as follows:

Sec. 13.071. REVIEW OF APPLICATION. (a) The registrar shall review each submitted application for registration to determine whether it complies with Section 13.002 and indicates that the applicant is a United States citizen eligible for registration.

(b) If the application is submitted to the Department of Public Safety in person with the proof of citizenship required by Section 20.063(e), the [The] registrar shall make the determination not later than the seventh day after the date the application is submitted to the registrar.

(c) If the application is submitted in a manner other than the manner described by Subsection (b), the registrar shall forward the information relating to the applicant to the secretary of state for determining citizenship as provided by Section 13.0721.

SECTION 2. Subchapter C, Chapter 13, Election Code, is amended by adding Section 13.0721 to read as follows:

Sec. 13.0721. DETERMINATION OF CITIZENSHIP. (a) This section does not apply to an application for registration submitted

1 to the Department of Public Safety in person with the proof of
2 citizenship required by Section 20.063(e).

3 (b) The secretary of state shall verify with the Department
4 of Public Safety the citizenship status of each applicant for voter
5 registration whose information is forwarded to the secretary of
6 state as provided by Section 13.071(c). If the department verifies
7 the applicant's citizenship status, the secretary of state shall
8 notify the registrar. If the department does not have information
9 regarding the citizenship status of the applicant or has
10 information indicating that the applicant is not a citizen, the
11 registrar and the applicant shall be notified as provided by
12 secretary of state rule.

13 (c) An applicant for voter registration who receives notice
14 under Subsection (b) must provide proof of citizenship to the
15 registrar not later than the 60th day after the date of receipt.
16 Except as provided by Subsection (d), this proof must be presented
17 in person. The following is acceptable as proof of citizenship
18 under this section:

19 (1) an unexpired passport issued to the person;

20 (2) a certified copy of a birth certificate or other
21 document confirming the person's birth that is admissible in a
22 court of law and establishes the person's identity, presented with
23 a government-issued identification that contains the person's
24 photograph; or

25 (3) United States citizenship papers issued to the
26 person, presented with a government-issued identification that
27 contains the person's photograph.

1 (d) An applicant may mail a certified copy of a document
2 described by Subsection (c)(2) or (3) with a copy of the person's
3 government-issued photo identification to the registrar.

4 (e) If an applicant does not provide proof of citizenship as
5 required, the registrar shall cancel the registration and notify
6 the secretary of state. The secretary of state shall keep a list of
7 applicants of which the secretary receives notice under this
8 section.

9 (f) The secretary of state shall adopt rules and prescribe
10 procedures to implement this section.

11 SECTION 3. Section 20.063, Election Code, is amended by
12 adding Subsection (e) to read as follows:

13 (e) A person who submits a voter registration application to
14 the department in person shall at the time of submission present as
15 proof of citizenship:

16 (1) an unexpired passport issued to the person;

17 (2) a certified copy of a birth certificate or other
18 document confirming the person's birth that is admissible in a
19 court of law and establishes the person's identity; or

20 (3) United States citizenship papers issued to the
21 person.

22 SECTION 4. The changes in law made by this Act apply only to
23 an application to register to vote submitted on or after the
24 effective date of this Act.

25 SECTION 5. This Act takes effect September 1, 2019.