

By: Miles

S.B. No. 391

A BILL TO BE ENTITLED

AN ACT

relating to the procedures for challenging the registration of a voter on the ground of residence.

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

SECTION 1. Section 16.0921(a), Election Code, is amended to read as follows:

(a) Except as provided by Subsection (c), for a voter whose registration is challenged ~~[on the filing of a sworn statement under Section 16.092]~~ alleging a ground based on residence, the registrar shall promptly deliver to the voter whose registration is challenged a confirmation notice in accordance with Section 15.051 if the voter fails to appear or submit an affidavit to offer evidence or argument at a hearing under Section 16.093.

SECTION 2. Section 16.093(a), Election Code, is amended to read as follows:

(a) On the filing of a sworn statement under Section 16.092 ~~[alleging a ground other than residence]~~, the registrar shall schedule a hearing on the challenge. ~~[The hearing procedure does not apply to an allegation of a ground based on residence.]~~

SECTION 3. Section 16.095, Election Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

(a) Except as provided by Subsection (e), after ~~[After]~~ hearing and considering the evidence or argument, the registrar

1 shall promptly determine the challenge and issue a decision in
2 writing.

3 (e) For a challenge alleging a ground based on residence,
4 the registrar may not make a determination and shall send a
5 confirmation notice in accordance with Section 16.0921 if the voter
6 does not appear at the hearing on the challenge or offer evidence or
7 argument by affidavit.

8 SECTION 4. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2019.