

BILL ANALYSIS

Senate Research Center
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S.B. 31
By: Perry
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In Texas, if the secretary of state determines that a voter on the statewide computerized voter registration list has been excused or disqualified from jury service because the voter is not a citizen, the secretary of state is required to send notice of the determination to the voter registrar of the appropriate counties. There have been calls for the notification of other authorities in order to prevent voter fraud. S.B. 31 seeks to ensure that the appropriate authorities are notified when a person is excused from a jury based on the fact that they are not a citizen or no longer a resident of the county. This bill also requires the secretary of state and the Department of Public Safety of the State of Texas to compare citizenship data to verify the accuracy of citizenship status information on voter registration applications.

As proposed, S.B. 31 amends current law relating to the use of certain information regarding voter qualification.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the secretary of state in SECTION 1 (Section 16.0332, Election Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 16.0332, Election Code, by amending Subsection (a) and adding Subsections (a-1), (d), and (e), as follows:

(a) Requires the voter registrar, after the voter registrar receives notification under Subsection (a-1) of Section 16.0332 (Cancellation Because of Citizenship Status), Section 18.068 (Comparison of Information Regarding Ineligibility) of this code, or Section 62.113 (Compilation of List of Noncitizens), Government Code, of persons excused or disqualified from jury service because of citizenship status or notification of persons who indicate a lack of citizenship status in connection with a motor vehicle or Department of Public Safety of the State of Texas (DPS) record, rather than after the voter registrar receives a list under Section 18.068 of this code or Section 62.113, Government Code, of persons excused or disqualified from jury service because of citizenship status, to deliver to each registered voter whose name appears on the list a written notice requiring the voter to submit to the voter registrar certain information.

(a-1) Requires the secretary of state (SOS) to enter into an agreement with DPS under which information in the existing statewide computerized voter registration list is compared against information in the database of DPS on a monthly basis to verify the accuracy of citizenship status information previously provided on voter registration applications.

(d) Requires SOS to prescribe rules for the administration of this section.

(e) Requires SOS, not later than December 31 of each year, to provide a report to the legislature of the number of voter registrations canceled under this section during the calendar year.

SECTION 2. Amends Section 18.068(a), Election Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires SOS to quarterly compare the information received under certain sections, including Section 62.114 (Compilation of List of Nonresidents), Government Code, to the statewide computerized voter registration list. Requires SOS, if SOS determines that a voter on the registration list meets certain criteria, including if the voter has been excused or disqualified from jury service because the voter is not a resident of the county in which the voter is registered to vote, to send notice of the determination to:

(1) creates this subdivision from existing text and makes a nonsubstantive change; and

(2) the attorney general, who is required to quarterly review the information to investigate whether a person has committed an offense under Section 13.007 (False Statement on Application) or other law.

Makes nonsubstantive changes.

(a-1) Provides that SOS is not required to send notice under Subsection (a) for a voter who is subject to an exemption from jury service under Section 62.106 (Exemption From Jury Service), Government Code.

SECTION 3. Amends Section 62.113(b), Government Code, as follows:

(b) Requires the clerk of the court, on the third business day of each month, to send a copy of the list of persons excused or disqualified because of citizenship in the previous month to certain persons, including the attorney general, for an investigation of whether the person committed an offense under Section 13.007, Election Code, or other law. Makes a nonsubstantive change.

SECTION 4. Amends Sections 62.114(b) and (c), Government Code, as follows:

(b) Requires the clerk of the court, on the third business day of each month, to send a copy of the list of persons excused or disqualified in the previous month because the persons do not reside in the county to certain persons, including SOS and the attorney general and the county or district attorney for an investigation of whether the person committed an offense under Section 13.007, Election Code, or other law. Makes a nonsubstantive change.

(c) Prohibits a list compiled under this section from being used for a purpose other than a purpose described by certain sections, including by Section 18.068, Election Code. Makes a nonsubstantive change.

SECTION 5. Effective date: upon passage or the 91st day after the last day of the legislative session.