87S10383 MCK-D

By:  Zaffirini, et al. S.B. No. 58

A BILL TO BE ENTITLED

AN ACT

relating to allowing a person who will be 18 years of age on the date of the general election for state and county officers to vote in the preceding primary elections.

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

SECTION 1.  Section 13.001, Election Code, is amended by amending Subsections (a) and (b) and adding Subsections (d) and (e) to read as follows:

(a)  To be eligible for registration as a voter in this state, a person must:

(1)  except as provided by Subsection (d), be 18 years of age or older;

(2)  be a United States citizen;

(3)  not have been determined by a final judgment of a court exercising probate jurisdiction to be:

(A)  totally mentally incapacitated; or

(B)  partially mentally incapacitated without the right to vote;

(4)  not have been finally convicted of a felony or, if so convicted, must have:

(A)  fully discharged the person's sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court; or

(B)  been pardoned or otherwise released from the resulting disability to vote; and

(5)  be a resident of the county in which application for registration is made.

(b)  Except as provided by Subsection (d), to [~~To~~] be eligible to apply for registration, a person must, on the date the registration application is submitted to the registrar, be at least 17 years and 6 [~~10~~] months of age and satisfy the requirements of Subsection (a) except for age.

(d)  A person who will be 18 years of age or older on the date of the next general election for state and county officers is eligible to register as a voter in this state for the purposes of voting in the primary election to determine a political party's nominees for the general election if the person satisfies the requirements of Subsection (a) except for age. The secretary of state shall prescribe procedures necessary to implement this subsection.

(e)  The voter registrar may send a written notice to each person who registers to vote under Subsection (d) stating that the person is only eligible to vote in a primary election or runoff primary election and that the person is not eligible to vote in any other election until the person is 18 years of age. The notice may list the elections in which the person is not eligible to vote.

SECTION 2.   Subchapter A, Chapter 172, Election Code, is amended by adding Section 172.005 to read as follows:

Sec. 172.005.  VOTING BY PERSON UNDER AGE 18. (a) Notwithstanding Section 11.001, a person may vote in a primary election if the person:

(1)  will be 18 years of age or older on the date of the subsequent general election for state and county officers; and

(2)  satisfies the requirements for being a qualified voter except for age.

(b)  The secretary of state, after consulting with the state chairman of each political party required to make nominations by primary election, shall prescribe the procedures necessary to implement this section.

SECTION 3.  This Act takes effect on the date on which the constitutional amendment proposed by the 87th Legislature, 1st Called Session, 2021, authorizing a person who will be 18 years of age or older on the date of the general election for state and county officers to vote in the preceding primary election takes effect. If that amendment is not approved by the voters, this Act has no effect.