

By: Jetton

H.B. No. 225

A BILL TO BE ENTITLED

AN ACT

relating to the enforcement by the secretary of state of certain voter roll maintenance provisions; providing a civil penalty.

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

SECTION 1. Subchapter A, Chapter 31, Election Code, is amended by adding Section 31.017 to read as follows:

Sec. 31.017. ENFORCEMENT OF VOTER ROLL MAINTENANCE PROVISIONS. (a) The secretary of state shall monitor each voter registrar for compliance with the following provisions and with any rules implementing the following provisions:

- (1) Subchapter D, Chapter 15;
- (2) Subchapters A and B, Chapter 16; and
- (3) Subchapter C, Chapter 18.

(b) If the secretary of state determines that a voter registrar has failed to comply with a requirement imposed on the clerk or registrar by a provision listed in Subsection (a), the secretary of state shall:

- (1) for the first violation, require the registrar to attend a training course developed under Subsection (e);
- (2) for the second violation, audit the voter registration list for the county in which the registrar serves to determine the actions needed to achieve compliance with state law and rules adopted by the secretary of state; or
- (3) for a third or subsequent violation, if the

1 secretary of state determines that a voter registrar has not  
2 performed any overt actions in pursuance of compliance with the  
3 provisions identified under Subsection (b)(2) within 14 days, the  
4 secretary of state shall:

5 (A) inform the attorney general that the county  
6 which the registrar serves may be subject to a civil penalty under  
7 Subsection (c).

8 (c) A county is liable to this state for a civil penalty of  
9 \$1,000 for each day after the 14th day following the receipt from  
10 the Secretary of State of specific actions needed as identified in  
11 subsection (2) that the county's voter registrar fails to take  
12 overt action to comply with provisions identified under that  
13 subsection. The attorney general may bring an action to recover a  
14 civil penalty imposed under this section.

15 (d) A civil penalty collected by the attorney general under  
16 this section shall be deposited in the state treasury to the credit  
17 of the general revenue fund.

18 (e) The secretary of state shall develop and implement a  
19 training course for court clerks and registrars on the maintenance  
20 of voter rolls required and permitted by law.

21 (f) The secretary of state shall adopt rules and prescribe  
22 procedures for the implementation of this section.

23 SECTION 2. The changes in law made by this Act apply only to  
24 an offense committed on or after the effective date of this Act. An  
25 offense committed before the effective date of this Act is governed  
26 by the law in effect on the date the offense was committed, and the  
27 former law is continued in effect for that purpose. For purposes of

1 this section, an offense was committed before the effective date of  
2 this Act if any element of the offense was committed before the  
3 effective date of this Act.

4 SECTION 3. Not later than January 1, 2022, the secretary of  
5 state shall develop the training course required by Section 31.017,  
6 Election Code, as added by this Act.

7 SECTION 4. This Act takes effect on the 91st day after the  
8 last day of the legislative session.