

By: Perry

S.B. No. 38

A BILL TO BE ENTITLED

AN ACT

relating to the use of certain information regarding voter qualification.

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

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

(a) After the registrar receives notification [~~a list~~] under Subsection (a-1) of this section, Section 18.068 of this code, or Section 62.113, 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 record, the registrar shall deliver to each registered voter whose name appears on the list a written notice requiring the voter to submit to the registrar proof of United States citizenship in the form of a certified copy of the voter's birth certificate, United States passport, or certificate of naturalization or any other form prescribed by the secretary of state. The notice shall be delivered by forwardable mail to the mailing address on the voter's registration application and to any new address of the voter known to the registrar.

(a-1) The secretary of state shall enter into an agreement with the Department of Public Safety under which information in the

1 existing statewide computerized voter registration list is
2 compared against information in the database of the Department of
3 Public Safety on a monthly basis to verify the accuracy of
4 citizenship status information previously provided on voter
5 registration applications.

6 (d) The secretary of state shall prescribe rules for the
7 administration of this section.

8 (e) Not later than December 31 of each year, the secretary
9 of state shall provide a report to the legislature of the number of
10 voter registrations canceled under this section during the calendar
11 year.

12 SECTION 2. Section 18.068, Election Code, is amended by
13 amending Subsection (a) and adding Subsection (a-1) to read as
14 follows:

15 (a) The secretary of state shall quarterly compare the
16 information received under Section 16.001 of this code and Sections
17 [Section] 62.113 and 62.114, Government Code, to the statewide
18 computerized voter registration list. If the secretary determines
19 that a voter on the registration list is deceased or has been
20 excused or disqualified from jury service because the voter is not a
21 citizen or a resident of the county in which the voter is registered
22 to vote, the secretary shall send notice of the determination to:

23 (1) the voter registrar of the counties considered
24 appropriate by the secretary; and

25 (2) the attorney general, who shall quarterly review
26 the information to investigate whether a person has committed an
27 offense under Section 13.007 or other law.

1 (a-1) The secretary of state is not required to send notice
2 under Subsection (a) for a voter who is subject to an exemption from
3 jury service under Section 62.106, Government Code.

4 SECTION 3. Section 62.113(b), Government Code, is amended
5 to read as follows:

6 (b) On the third business day of each month, the clerk shall
7 send a copy of the list of persons excused or disqualified because
8 of citizenship in the previous month to:

9 (1) the voter registrar of the county;

10 (2) the secretary of state; and

11 (3) the attorney general and the county or district
12 attorney~~[, as applicable,]~~ for an investigation of whether the
13 person committed an offense under Section 13.007, Election Code, or
14 other law.

15 SECTION 4. Sections 62.114(b) and (c), Government Code, are
16 amended to read as follows:

17 (b) On the third business day of each month, the clerk shall
18 send ~~[to the voter registrar of the county]~~ a copy of the list of
19 persons excused or disqualified in the previous month because the
20 persons do not reside in the county to:

21 (1) the voter registrar of the county;

22 (2) the secretary of state; and

23 (3) the attorney general and the county or district
24 attorney for an investigation of whether the person committed an
25 offense under Section 13.007, Election Code, or other law.

26 (c) A list compiled under this section may not be used for a
27 purpose other than a purpose described by Subsection (b) or Section

1 15.081 or 18.068, Election Code.

2 SECTION 5. This Act takes effect on the 91st day after the
3 last day of the legislative session.