

By: Zaffirini

S.B. No. 42

A BILL TO BE ENTITLED

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

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

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

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

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

13 (2) be a United States citizen;

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

16 (A) totally mentally incapacitated; or

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

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

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

24 (B) been pardoned or otherwise released from the

1 resulting disability to vote; and

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

4 (b) Except as provided by Subsection (d), to ~~[To]~~ be
5 eligible to apply for registration, a person must, on the date the
6 registration application is submitted to the registrar, be at least
7 17 years and 6 ~~[10]~~ months of age and satisfy the requirements of
8 Subsection (a) except for age.

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

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

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

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

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

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

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

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