

BILL ANALYSIS

H.B. 4507
By: Schofield
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that the U.S. Congress is considering legislation that would contradict the laws that the Texas Legislature has enacted to conduct elections in Texas. There have been calls to prevent the U.S. Congress from interfering with the ability to maintain the integrity of elections in Texas. H.B. 4507 seeks to address this issue by providing for the suspension of certain affected state election laws or rules and by requiring the secretary of state to adopt conforming procedures in a manner that will not substantively modify the state's procedures for voter registration or the conduct of elections.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the secretary of state in SECTION 2 of this bill.

ANALYSIS

H.B. 4507 amends the Election Code to provide for the suspension of a state election law or rule enacted or adopted to implement a provision of federal law regarding the registration of voters or conduct of elections if under federal law, order, regulation, or other official action the provision is not required to be implemented or enforced in whole or in part.

H.B. 4507 requires the secretary of state by rule, pending enactment of conforming state legislation and after consulting with the chair and vice chair of applicable standing committees of the senate and house of representatives, to adopt procedures to conform with federal laws enacted regarding federal elections in a manner which will not substantively modify the procedures for voter registration or conduct of elections other than federal elections provided under state election law, except as provided by the bill's provisions.

H.B. 4507 provides the following, in compliance with the adopted procedures:

- requires the secretary of state, to the extent federal law modifies the requirements or procedures of state law for voter registration in federal elections, to establish and maintain by rule a federal election voter registration system in compliance with federal law that prohibits any person registered under the system from being eligible to vote in any election other than federal elections, unless that person is qualified and registered to vote as provided by applicable state law;
- requires any person seeking to register to vote under the federal election voter registration system provided for under the bill's provisions to be notified upon registering to vote under the system that registration to vote in federal elections does not qualify a

person to vote in any other election conducted in Texas unless that person registers to vote as provided by Title 2 of the Election Code;

- requires all persons registered to vote as provided by Title 2 of the Election Code to be automatically registered to vote under the federal election voter registration system provided for under the bill's provisions;
- requires any voter registration certificate issued or lists of registered voters produced under the federal election voter registration system to be clearly marked "Valid for federal elections only"; and
- requires the secretary of state, to the extent federal law modifies the conduct of elections for federal office in a manner which substantively conflicts with any provision of the Election Code, to modify by rule the uniform election dates and other associated election dates and deadlines so that no election other than those for federal offices are held on the same date as any special election for a member of congress, a federal primary, a federal primary runoff, or a general election for federal offices.

EFFECTIVE DATE

September 1, 2021.