

BILL ANALYSIS

S.B. 1114
By: Bettencourt
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that the current voter registration process does not provide the secretary of state with a method for sufficiently verifying a person's citizenship. However, the secretary of state is in the process of implementing a more proactive way to find ineligible voters and remove them from the voter rolls. While current law provides for the removal of voters ineligible due to being deceased or disqualified from jury duty, there have been calls to strengthen the integrity of the voter rolls by requiring voter registrars to additionally cross-reference voter rolls with motor vehicle records on which a person has indicated that the person is not a U.S. citizen. S.B. 1114 seeks to address this issue by providing for the verification of citizenship status against certain motor vehicle or Department of Public Safety records.

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 1 of this bill.

ANALYSIS

S.B. 1114 amends the Election Code to require the secretary of state to enter into an agreement with the Department of Public Safety (DPS) under which information in the statewide computerized voter registration list is compared against information in the DPS database on a monthly basis to verify the accuracy of citizenship status information provided on voter registration applications. The bill requires the information to be compared to include at a minimum the following:

- a voter's full legal name;
- a voter's former name, if applicable;
- a voter's date of birth;
- a voter's residence address;
- a voter's driver's license or state identification card number;
- a voter's social security number;
- a voter's documentation of lawful presence in this state; and
- a voter's citizenship status.

The bill requires the secretary of state to prescribe rules for the administration of voter registration cancellation procedures because of citizenship status. The bill requires the secretary of state, not later than December 31 of each year, to provide a report to the legislature of the number of voter registrations canceled due to those procedures.

S.B. 1114 requires the voter registrar, after receiving notification of persons who have indicated a lack of citizenship status in connection with a motor vehicle or DPS record, to deliver to the applicable voter a written notice requiring the voter to submit to the voter registrar proof of U.S. citizenship in the form of a certified copy of the voter's birth certificate, U.S. passport, certificate of naturalization, or any other form prescribed by the secretary of state.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.