87R490 ADM-D

By:  Cain H.B. No. 329

A BILL TO BE ENTITLED

AN ACT

relating to election integrity.

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

SECTION 1.  Chapter 11, Election Code, is amended by adding Section 11.0021 to read as follows:

Sec. 11.0021.  MEASURES TO PREVENT NONCITIZEN VOTER REGISTRATION AND VOTING. Notwithstanding any other law, to ensure a person who is not a citizen of the United States may not register to vote or vote:

(1)  at least twice each year, the secretary of state shall use the United States Department of Homeland Security database of noncitizens living in Texas to identify noncitizens whose voter registrations should be canceled and shall take all appropriate actions;

(2)  the Department of Public Safety shall forward to the secretary of state the file of a person who applies for a Texas driver's license or identification card and provides on the application form that the person is not a citizen of the United States; and

(3)  the secretary of state may audit a county's voter registration list to ensure a county complies with:

(A)  state law; and

(B)  the secretary of state's directives, including a requested deletion from a county's voter registration list.

SECTION 2.  Sections 19.002(b) and (d), Election Code, are amended to read as follows:

(b)  After June 1 of each year, the secretary of state shall make payments pursuant to vouchers submitted by the registrar and approved by the secretary of state in amounts determined by the secretary of state based on the registrar's compliance with this code and the secretary of state's directives [~~that in the aggregate do not exceed the registrar's entitlement~~]. The secretary of state shall prescribe the procedures necessary to implement this subsection.

(d)  The secretary of state may not make a payment under Subsection (b) if on June 1 of the year in which the payment is to be made the registrar is not in substantial compliance with this code or the secretary of state's directives [~~Section 15.083, 16.031, 16.032, or 18.065 or with rules implementing the registration service program~~].

SECTION 3.  Subchapter F, Chapter 32, Election Code, is amended by adding Section 32.116 to read as follows:

Sec. 32.116.  ELECTION JUDGE TRAINING. (a) The secretary of state shall create an examination of election law and procedures that a person must pass before serving as an election judge during early voting by personal appearance or on election day. A county must maintain an election judge's completed examination for at least 24 months after the date of the election for which the person served as an election judge as evidence of the election judge's understanding of election law and procedures.

(b)  The secretary of state shall prescribe any necessary rules and take any appropriate action to implement this section.

SECTION 4.  Section 63.0013, Election Code, is amended by adding Subsection (c) to read as follows:

(c)  The secretary of state shall investigate a voter who executed a declaration of reasonable impediment under Section 63.001(i) with the Department of Public Safety's identification database to determine whether the voter has been issued a Texas driver's license or an identification card by the Department of Public Safety. For each match:

(1)  the attorney general shall, as appropriate, prosecute the voter under this section or Chapter 37, Penal Code;

(2)  the secretary of state shall make a notation on the statewide computerized voter registration list and notify the appropriate county election officials that the voter has, and to vote must use, an identification prescribed by Section 63.0101(a); and

(3)  the attorney general shall report findings of the investigation under this section to the federal Fifth Circuit Court of Appeals.

SECTION 5.  Sections 19.002(a) and 19.0025, Election Code, are repealed.

SECTION 6.  This Act takes effect September 1, 2021.